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JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
THE PROVINCE
OF
NEW BRUNSWICK.



From the 12th February to the 26th of March 1857.

Being the Second Session of the Seventeenth General Assembly.

FREDEBICTON, NEW BRUNSWICK.

JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY,

1857.



By His Excellency The Honorable JOHN HENRY THOMAS MANNERS-SUTTON,
Lieutenant Governor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

J. H. T. MANNERS-SUTTON.

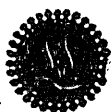
A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the ninth day of September instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued accordingly to Tuesday the twenty first day of October next.

Given under my Hand and Seal, at Fredericton, the second day of September, in the year of our Lord one thousand eight hundred and fifty six, and in the twentieth year of Her Majesty's Reign.

By His Excellency's Command.

R. D. WILMOT.



By His Excellency The Honorable JOHN HENRY THOMAS MANNERS-SUTTON,
Lieutenant Governor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

J. H. T. MANNERS-SUTTON.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty first day of October instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued accordingly to Thursday the twenty seventh day of November next.

Given under my Hand and Seal, at Fredericton, the thirteenth day of October, in the year of our Lord one thousand eight hundred and fifty six, and in the twentieth year of Her Majesty's Reign.

By His Excellency's Command.

R. D. WILMOT.



By His Excellency The Honorable JOHN HENRY THOMAS MANNERS-SUTTON,
Lieutenant Governor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

J. H. T. MANNERS-SUTTON.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the twenty seventh day of November instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued accordingly to Thursday the eighth day of January next.

Given under my Hand and Seal, at Fredericton, the eighteenth day of November, in the year of our Lord one thousand eight hundred and fifty six, and in the twentieth year of Her Majesty's Reign.

By His Excellency's Command.

R. D. WILMOT.



By His Excellency The Honorable JOHN HENRY THOMAS MANNERS-SUTTON,
Lieutenant Governor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

J. H. T. MANNERS-SUTTON.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the eighth day of January next, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued accordingly to Thursday the twelfth day of February next, then to meet at Fredericton for the despatch of business.

Given under my Hand and Seal, at Fredericton, the twenty seventh day of December, in the year of our Lord one thousand eight hundred and fifty six, and in the twentieth year of Her Majesty's Reign.

By His Excellency's Command.

R. D. WILMOT.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
Province of New Brunswick.

SECOND SESSION OF THE SEVENTEENTH GENERAL ASSEMBLY.

ANNO VICESIMO VICTORIÆ REGINÆ.

His Excellency The Honorable John Henry Thomas Manners-Sutton,
Lieutenant Governor and Commander in Chief.

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Thursday, February 12, 1857.

THE General Assembly having been by four several Proclamations prorogued to this day, the House met—

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,*

*Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Steeves,*

PRAYERS.

At four o'clock His Excellency the Honorable John Henry Thomas Manners-Sutton, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

Who being come—

His Excellency was pleased to open the Session by the following Speech :—

" *Mr. President, and Honorable Gentlemen of the Legislative Council,*

" *Mr. Speaker, and Gentlemen of the House of Assembly,*

" **I**T affords me much satisfaction to meet you on your re-assembling for the discharge of your legislative duties.

" I

“ I have given directions that there should be laid before you the Reports which have been received by the Government respecting the existing state of the various Constituencies in the Province. A condition of affairs in which large numbers of those to whom it was the intention of the Legislature to entrust the Franchise, cannot legally exercise that privilege, will not, I am sure, be permitted by you to continue.

“ I rejoice to be able to announce to you that considerable progress has been made in the Railway Works in course of construction; and a gratifying proof has been afforded of the confidence which is reposed by the Capitalists of the Mother Country, both in the good faith and in the Resources of the Province, by the ready sale, at a premium, of the Debentures issued to defray the cost of these Works. Documents fully explaining the present condition of the Railway Works, and the proceedings of the Government in connection with them, will be laid before you; and a measure will be submitted to you, having for its object the diminution of the cost of superintending the expenditure on Railways, without impairing the efficiency of that superintendence.

“ The attention of the Government has been directed to the insufficiency of the existing means of conveyance both of Passengers and Goods between the various Ports on the Northern and Eastern Shores of this Province and Prince Edward's Island. You will, I am confident, recognize the advantage which the Province would derive from increased facilities of Commercial intercourse with that Colony. The Government of Prince Edward's Island are prepared to co-operate in making such arrangements as would afford to the People of both Colonies the advantages of a more complete system of inter-communication between them, and a proposal will be submitted to you for carrying into effect these arrangements.

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ The Fiscal Accounts of the past Year will be laid before you. These Accounts will, I hope, be found to exhibit with clearness and simplicity both the Receipts and the Expenditure of the Year, and I congratulate you on the improved condition of the Finances of the Province. Estimates also of the Revenue and of the Expenditure for the current Year have been prepared by the Government, and will be submitted to you.

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ Mr. Speaker, and Gentlemen of the House of Assembly,

“ In accordance with the desire expressed by the House of Assembly, the Government has during the recess been engaged in the consideration of the means whereby a healthy stream of Immigration hither may be best promoted. The correspondence and other documents explanatory of the progress which has hitherto been made in maturing a scheme for this purpose, will be laid before you; and I do not doubt that these documents will receive from you that calm and careful consideration to which they are entitled, as well from the importance as from the complicated character of the subject to which they relate.

“ In other Colonies Commerce has been extended, and an impetus given both to Emigration and to the investment of Capital from the United Kingdom, by the establishment

lishment of direct Steam Communication with the Mother Country. I should view with lively satisfaction any step for the attainment of this object which could be taken consistently with a due regard to Financial considerations.

“ I have received from the Secretary of State an important Despatch relative to the Surplus Civil List Fund. This Despatch will be laid before you.

“ The Law which regulates Parish Schools will shortly expire. Your attention will necessarily be directed to this important subject. The Council of King’s College have submitted to me, as the Visitor of that Institution, a Report, of which a copy will be laid before you. I commend this Report to your attentive consideration.

“ I have given effect to the wish of the House of Assembly, that a Commission should be appointed to consider the means by which the successful Culture of the Soil may be best promoted. The Commission is now engaged in making the necessary enquiries on this subject, and I trust that those who are engaged in this important branch of industry may derive permanent advantage from the labours of the Commissioners.

“ During the past year the Staple Article of Export from the Province was depressed in value; while the Potato Crop was seriously injured, and in some districts wholly destroyed, by the blight; and although the Fisheries were at least as productive as usual, both the Commercial and the Agricultural Industry of the Province suffered a temporary check. But the general condition of the People is, I am happy to believe, one of comfort and contentment; and gratefully acknowledging the numerous blessings which have been bestowed upon us, and our dependence on Providence for their continuance, I rely with confidence on your devotion to the Public interests, and I fervently hope that your deliberations may conduce to the honor and permanent welfare of the Province.”

Which being ended, the House of Assembly withdrew, and His Excellency was pleased to retire.

The Honorable the President reported His Excellency’s Speech.

An Address in answer to His Excellency’s Speech is moved and seconded.

ORDERED, That the same be taken into consideration to-morrow.

The Honorable Mr. Botsford communicated the melancholy intelligence of the death of the Honorable Colonel Hatch, late a Member of this House, who died at his residence in Saint Andrews in August last.

Whereupon it was

RESOLVED, That the Members of this House do wear mourning for one month, in testimony of their respect, and as a mark of their sense of his long public services in the Legislature of this Province.

The Honorable the President acquaints the House, that by a certain Instrument under the Hand and Seal of His Excellency the Lieutenant Governor, dated the twenty seventh day of January one thousand eight hundred and fifty seven, Commander John James Robinson, R. N., was appointed provisionally a Member of this House, and desired to be admitted.

ORDERED

ORDERED, That the Honorable Messieurs Harrison and Seely be appointed a Committee to attend the Honorable Mr. Robinson, to see him qualified.

ORDERED, That the Journals of this House be printed daily, and that three hundred copies thereof be furnished.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 13th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Steeves,*

*Mr. Botsford,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,
Mr. Seely.*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 14th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Steeves,*

*Mr. Botsford,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,
Mr. Seely.*

PRAYERS.

The Honorable Mr. Seely, from the Committee appointed to wait on His Excellency the Lieutenant Governor, and see the Honorable Mr. Robinson qualified, reported that they had attended to that duty, and that the Honorable Mr. Robinson had taken the usual oath in the presence of His Excellency the Lieutenant Governor.

The Honorable Mr. Robinson was then introduced between the Honorable Messieurs Harrison and Seely, and took his Seat.

On motion—

The House went into consideration of the Address in answer to His Excellency's Speech.

The Address was then adopted by the House, and is as follows :—

To His Excellency The Honorable JOHN HENRY THOMAS MANNERS-SUTTON, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY CONVENED.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council in General Assembly, desire to convey to Your Excellency our thanks for your Speech at the opening of the Session.

The information which is promised by Your Excellency, respecting the condition of a large number of the Constituency to whom it was the intention of the existing Law to extend the franchise, will be received by us as demanding our most serious attention.

We rejoice to find that Your Excellency is able to announce that considerable progress has been made in the Public Works now in the course of construction; and that the ready sale of the Debentures issued under the Railway Acts, proves the confidence which is felt by the Capitalists of the Mother Country in the good faith and resources of the Province.

We shall receive with great satisfaction the documents explaining the present condition of the Railway Works, and we shall carefully consider any measure which may be devised with a view to the diminution of the cost of superintending the expenditures necessary for their construction.

Any proposal having for its object an improved system of transit for Passengers and Goods between the various Ports of the Northern and Eastern Shores of this Province and Prince Edward Island, shall be regarded with the most favorable consideration.

We are gratified to learn that the Government has, during the recess, been engaged in the consideration of the means by which a healthy stream of Immigration may be promoted. We are sensible both of the importance and complicated character of this subject, and we assure Your Excellency that any document submitted to us in relation thereto, shall receive the calm and careful deliberation to which it is most justly entitled.

In immediate connexion with Immigration, we feel justified in placing any scheme for obtaining a direct Steam Communication with the Mother Country; any step towards this object will be regarded by us with lively satisfaction.

The Despatch from the Secretary of State relative to the Surplus Civil List Fund, we shall look for with great interest.

The approaching expiration of the Laws regulating Parish Schools, will demand immediate legislation at our hands.

We are pleased to learn that the Council of King's College have submitted to Your Excellency, as Visitor of that Institution, a Report; when laid before us it shall be maturely considered.

We have every confidence in the Commission appointed by Your Excellency, in pursuance of the wish of the House of Assembly, to consider the best mode of promoting the successful culture of the soil; and we have no doubt that they will proceed in the duty assigned to them with ability and industry.

We are happy to believe with Your Excellency, that notwithstanding the temporary check suffered by the Commercial and Agricultural Industry of the Province during the past year, the general condition of the People is one of comfort and contentment.

We unite with Your Excellency in gratefully acknowledging the many blessings which have been bestowed upon us by a kind Providence; and we join in the hope that our deliberations may be found conducive to the honor and welfare of the Province.

ORDERED, That the said Address be presented to His Excellency the Lieutenant Governor by the whole House.

ORDERED, That the Honorable Messieurs Botsford and Odell be appointed a Committee to wait on His Excellency the Lieutenant Governor, to know when this House will be received with their Address in answer to His Excellency's Speech at the opening of the Session.

Adjourned until Monday next at 12 o'clock.

MONDAY, 16th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Wark,
Mr. Robinson.*

*Mr. Botsford,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,
Mr. Steeves,*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 17th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Wark,
Mr. Ryan,*

*Mr. Botsford,
Mr. Minchin,
Mr. Hazen,
Mr. Odell,
Mr. Steeves,
Mr. Robinson.*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY

WEDNESDAY, 18th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Wark,
Mr. Robinson.*

*Mr. Minchin,
Mr. Steeves,*

PRAYERS.

There not being a quorum present, the House adjourned until to-morrow at 12 o'clock.

THURSDAY, 19th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Minchin,
Mr. Harrison,
Mr. Ryan,
Mr. Robinson.*

*Mr. Peters,
Mr. Wark,
Mr. Todd,*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 20th February 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Wark,
Mr. Ryan,
Mr. Todd,*

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Hill,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Robinson.*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 21st February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,*

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Hill,*

Mr

Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Robinson.

Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,

PRAYERS.

The Honorable Mr. Kinnear, by leave, presented a Petition from John Johnston, Esquire, for increase of Salary.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions:—

From the Rector, Church Wardens and Vestry of Saint Paul's Church, Hampton, for Act of Assembly to authorize sale of Land: and

From William Boggs and others, against any further power being given to South Bay Boom Company by Act of Assembly.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Steeves, by leave, presented a Petition from George Calhoun, Esquire, and others, for aid to Steam Navigation between this Province and Canada.

ORDERED, That the same be received and lie on the Table.

ORDERED, That the Honorable Messieurs Botsford, Hazen, and Odell, be a Committee to make arrangements in reference to the entrance from the Legislative Council Chamber Ante-room into the Gallery of the House of Assembly.

Adjourned until Monday next at 12 o'clock.

MONDAY, 23rd February, 1857.

PRESENT:

THE HON.

Mr. Black, President.

Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Robinson.

Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

TUESDAY

TUESDAY, 24th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Kinneer,
Mr. Peters,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Robinson.*

*Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,*

PRAYERS.

The Honorable Mr. Minchin, by leave, presented a Petition from John Baird, for pecuniary aid.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Todd, by leave, presented the following Petitions :—

From Henry F. Eaton and others, for Act of Incorporation of Middle Bridge Company :

From Trustees of Saint Stephen Academy, for aid : and

From Robert M. Todd and others, for Act to incorporate the First Universalist Society, Mill Town.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Steeves, by leave, presented the following Petitions :—

From Henry M'Latchey and others, for Act to incorporate the Weldon Creek Manufacturing Company :

From John S. Hay, for remuneration as a Reporter :

From William Gross and others, for aid to a Public Wharf :

From John Edgett and others, for aid to remove obstructions from River Pet-
codiac : and

From Trustees of Albert County Grammar School, for aid to purchase Apparatus for School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented the following Petitions :—

From Thomas E. Millidge and others, against any alteration of the Law relating to the erection of Wooden Buildings in Saint John : and

From the Mayor, Aldermen, and Commonalty of Saint John, against any alteration of the Law regulating the Office of Police Magistrate in that City.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Odell, by leave, presented the following Petitions :—

From C. H. Tucker, for aid as a School Teacher : and

From the Presbyterians of Prince William and adjoining Parishes, in favour of the Report on King's College.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Gordon, by leave, presented the following Petitions:—

From Michael Ferguson, for compensation for Ferrying Mails: and

From John Robicheau, with a similar prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Botsford, from the Committee appointed to wait on His Excellency the Lieutenant Governor to know when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session, reported that they had attended to that duty, and that His Excellency was pleased to say he would receive this House to-day at half-past three o'clock.

At half-past three o'clock the House proceeded to the Government House with their Address in answer to His Excellency's Speech at the opening of the Session.

And being returned—

The Honorable the President reported that His Excellency had been pleased to receive the same, and to return an answer thereto, of which he had received a copy, which he read; and it was again read by the Clerk, as follows:—

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

“ I offer to you my cordial acknowledgments for this Address, and I rely on your co-operation and assistance in the enactment of such measures as may tend to advance the general welfare.”

Adjourned until To-morrow at 1 o'clock.

WEDNESDAY, 25th February, 1857.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Steeves,
Mr. Todd,
Mr. Robinson.*

*Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Wark,
Mr. Gordon,
Mr. Rice,*

PRAYERS.

Adjourned until To-morrow at 12 o'clock.

THURSDAY

THURSDAY, 26th February, 1857.

PRESENT :

Mr. Black, President.

THE HON.

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Robinson.*

*Mr. Botsford,
Mr. Kinneaur,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Rice,*

PRAYERS.

A Message was brought from the Assembly by Mr. M'Adam, with a Bill to incorporate the Chairman and Trustees of the Wesleyan Methodist Chapel at Old Ridge, Saint Stephen; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Johnson, with a Bill to incorporate the Chatham Gas Light Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

ORDERED, That a Select Committee be appointed to report upon all Bills relating to Corporations which may be referred to them during the present Session; and that the Honorable Messieurs Odell, Steeves, and Robinson, do compose the same.

The Honorable Mr. Steeves, by leave, presented the following Petitions:—

From the Albert Mining Company, for relief from payment of Royalty: and
From Elisha Peck, Esquire, and others, for aid to a Public Wharf.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Moncton, for a Law to regulate elections of Church Officers.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Seely, by leave, presented the following Petitions:—

From the Directors of the Saint John Protestant Orphan Asylum, for Act of Incorporation: and

From Jane Frances James, for aid to a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented the following Petitions:—

From James Murray, for remuneration for extra work done on Miscou Light House:
From

From Richard Hutchison, for return Duty :
 From Messieurs Gilmour, Rankin and Company, with a like prayer :
 From the Reverend Richard Vereker, for aid to a School :
 From the Trustees of the Newcastle Grammar School, with a similar prayer :
 From John T. Williston and others, for Act of Incorporation to Gas Company : and
 From Allan A. Davidson, for remuneration for over-expenditure on a Bridge.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Robinson, by leave, presented the following Petitions :—

From Wilford Fisher, Esquire, and others, for aid to a Road :
 From Thomas Shannon, for compensation for losses arising from Liquor Law :
 From Ann Quinn, with a similar prayer :
 From Charles A. Thompson, with a similar prayer :
 From Bernard Gallagher, for increase of Salary as Postmaster :
 From Felix Clarence, for remuneration for carrying Mails :
 From George L. Carey and others, of Grand Manan, for alteration of the Road Law :
 From Church Corporation, Saint Andrews, for authority to sell Glebe Lands :
 From Jeremiah Donohue, for remuneration for building a Bridge : and
 From James W. Street, for return Duties.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 27th February 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
 Mr. Chandler,
 Mr. Minchin,
 Mr. Hill,
 Mr. Davidson,
 Mr. Wark,
 Mr. Gordon,
 Mr. Rice,*

*Mr. Botsford,
 Mr. Kinnear,
 Mr. Peters,
 Mr. Harrison,
 Mr. Odell,
 Mr. Steeves,
 Mr. Seely,
 Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to incorporate the Chatham Gas Light Company : and

A Bill to incorporate the Chairman and Trustees of the Wesleyan Methodist Chapel at Old Ridge, Saint Stephen.

ORDERED, That the said Bills be referred to the Select Committee appointed to report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. W. E. Perley, with a Bill to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Lewis, with a Bill to incorporate the Hillsborough Mills and Manufacturing Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Street, with the following Bills, to which they desire the concurrence of this House:—

A Bill to alter the time of holding the Circuit Court in the County of Charlotte: and

A Bill to repeal an Act to provide for the more effectually repairing the Roads and Bridges in the Parishes of Campo Bello and Grand Manan, so far as it relates to the Parish of Grand Manan.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. M'Adam, with a Bill to incorporate the First Universalist Society at Mill Town in the Parish of Saint Stephen; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Boyd, with a Bill to incorporate the Saint Andrews Rural Cemetery Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Lawrence, with a Bill to incorporate the Saint John Harmonic Society; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Gillmor, with a Bill to erect the eastern part of the Parish of Pennfield, in the County of Charlotte, into a separate Town or Parish; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. S. Z. Earle, with a Bill to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. DesBrisay, with a Bill to amend an Act to divide the Parish of Carleton, in the County of Kent, into two Parishes; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

ORDERED, That the Honorable Mr. Botsford be added to the Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Kinnear, by leave, presented a Petition from William J. Berton, for a Law relating to Seizure of Coals raised under Mining Leases.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Gordon, by leave, presented the following Petitions:—

From Ann Rait, for compensation for work done by her late Husband on the Roads:

From John Frizzle, for compensation for carrying Mails: and

From John S. P. Gibb, for aid to a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Rice, by leave, presented the following Petitions:—

From L. R. Coombes and others, for aid to a Road to Little River Settlement:

From Charles A. Hammond and others, for aid to a Road: and

From P. C. Amereaux, Esquire, and others, for aid to open a Road.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Saunders, by leave, presented the following Petitions:—

From the Rector, Church Wardens and Vestry of Queensbury, for authority to sell
Lands: and From

From George Morehouse, for remuneration for loss sustained in performance of Public Work.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 28th February, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Rice,*

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John :

A Bill to alter the time of holding the Circuit Court in the County of Charlotte :

A Bill to repeal an Act to provide for the more effectually repairing the Roads and Bridges in the Parishes of Campo Bello and Grand Manan, so far as it relates to the Parish of Grand Manan :

A Bill to erect the eastern part of the Parish of Pennfield, in the County of Charlotte, into a separate Town or Parish :

A Bill to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish : and

A Bill to amend an Act to divide the Parish of Carleton, in the County of Kent, into two Parishes.

ORDERED, That the House be put into Committee of the whole on Monday next to take the said Bills severally into consideration.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined " A Bill to incorporate the Hillsborough Mills and Manufacturing

Manufacturing Company;" that they have prepared an amendment to the same, which they submit to the consideration of the House. They have also examined "A Bill to incorporate the Saint John Harmonic Society;" also "A Bill to incorporate the Saint Andrews Rural Cemetery Company;" which they recommend to the adoption of the House without amendment.

Respectfully submitted.

Committee Room, February 28, 1857.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole on Monday next to take the said Bills, together with the Report of the Select Committee thereon, into consideration.

A Message was brought from the Assembly by Mr. M'Adam, with a Bill to incorporate the Middle Bridge Company at Saint Stephen; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and it was again read by the Clerk, as follows:—

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council, copies of two Despatches from the Secretary of State, conveying to His Excellency authority from Her Majesty's Government to place at the disposal of the Assembly the Surplus Civil List Fund, after the payment of certain prior obligations specified in these Despatches.

J. H. T. M-S.

Government House, February 28th, 1857.

(Copy)—No. 48.

Downing Street, August 15, 1856.

SIR,—With reference to the correspondence which has taken place at different times between this Department and the Government of New Brunswick, respecting the accumulated Surplus of the Civil List Fund, and the rights of the Crown in relation to it, I think that the time has now arrived for an explicit statement of the views of Her Majesty's Government on the whole subject.

2. Earl Grey's Despatch, addressed to Sir Edmund Head on November 25th, 1850, fully explains what those views were at the date of his writing. It was thought very essential for the welfare of the Province, that a reform should take place in its financial institutions, by the introduction of the principle of confining the initiation of money votes to the Executive; a principle well understood and in full operation in this Country and in almost all its more important Dependencies. And it was considered that the Crown ought not to abandon its controul over the Fund in question, unless satisfied that this principle was in course of adoption.

3. For my own part, I will not conceal my regret that the hopes entertained by Lord Grey have been hitherto disappointed. I hold, in common, I believe, with all those practically acquainted with

the operation of Parliamentary Government, that the very important measure of introducing measures for the appropriation of public money ought to be confined to those on whom the responsibility of public administration devolves. It is clear that when this principle is not observed, the local Government can make no certain or probable estimate of the sums which may be required for the service of the year; and I believe that the uncertainty thus introduced is very injurious to the material progress of the community, by rendering it impossible to undertake plans involving systematic outlay of public money; and in addition that it greatly impairs the security of public credit. I find that these opinions are so generally accredited, that in all more recent Colonial Constitutions, as in those of Canada, Australia and Jamaica, the principle in question is incorporated in the Constitutional enactments. And, although its adoption may have been retarded in some cases by the jealousy entertained of Executive authorities, appointed by the Crown and irremovable, there can be no longer place for such jealousy when Government is administered by authorities responsible to the people.

4. But while persuaded of the truth of these views, I am by no means satisfied that it is either the duty of Her Majesty's Government authoritatively to enforce them, or their interest to retain any particular fund under their own controul for the use of the Government of New Brunswick in case of emergency. It is the duty of the Representatives of the People of the Province to vote the necessary funds for the public service; Her Majesty's Government in relinquishing their former controul over the Executive Administration, became, as it appears to me, relieved from the duty of seeing these services supplied. And while the Home Government is thus relieved from responsibility, the Representatives of the People of the Colony are at the same time entitled; if they think proper, to maintain that they who supply the funds are the judges by whom, and in what manner, their expenditure ought to be proposed and sanctioned. The Province of New Brunswick has not for many years received any assistance from the Imperial Treasury, such as might justify interference in order to secure the interests of the British tax-payer. It has been always a self-supporting dependency of the Crown. I may regret that its Legislature does not adopt a regulation which, I believe, political experience has proved to be conducive to good government; but if they are wrong in this, it is for their Constituents, and not for myself, to promote the required reform.

5. On these grounds, Her Majesty's Government have come to the conclusion no longer to retain any control over the sum in question. You are therefore authorized to place the present accumulated amount of Surplus Civil List Fund, without reserve, at the disposal of the Assembly; and to follow the same course with regard to the accruing surplus of future years.

The discharge of the claim of Judge DesBarres out of this Fund, (as authorized by Mr. Sidney Herbert's Despatch of the 16th February 1855,) is, of course, a prior obligation on it. And if there should be any other outstanding claims against Her Majesty's Government, properly devolving on the Civil List Fund, (which I do not anticipate,) they must also be dealt with before the final surrender, so as to render it impossible that any charge on the Imperial Treasury, in respect to past liabilities connected with the administration of Government in New Brunswick, may be hereafter brought forward.

I have, &c.

(Signed) CLARENDON,
(In the absence of Mr. Labouchere.)

His Excellency the Lieutenant Governor, &c., New Brunswick.

(Copy)—No. 76.

Downing Street, 31st December, 1856.

SIR,—Adverting to the last paragraph of my Despatch of the 15th August last, I have to inform you that in the opinion of Her Majesty's Government, the debt of nine hundred and twelve pounds four shillings and two pence, due from New Brunswick in respect of the Railway Survey, as you were informed in my Despatch of the 4th April last, is one of the charges properly devolving on the "Civil List Fund." It is one which would, according to ordinary arrangements, have been charged on the Territorial Revenue, had this been still at the disposal of Her Majesty, and which, therefore, devolves rightly on that fund which was granted to Her Majesty in exchange for the Territorial Revenue.

I have therefore to instruct you to defray this amount out of the Fund before it is finally placed at the disposal of the Assembly.

I have, &c.

(Signed) H. LABOUCHERE.

His Excellency the Lieutenant Governor, &c., &c., New Brunswick.

The Honorable Mr. Harrison, by leave, presented a Petition from the County Council of Sunbury, for grant of Bye Road Money to the Municipality.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Rice, by leave, presented a Petition from P. C. Amereaux and others, for aid to open a Road.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Seely, by leave, presented a Petition from the Chamber of Commerce, Saint John, for amendment of Chapter 96 of the Revised Statutes, as regards the Survey of Lumber.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 2nd March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Todd,
Mr. Rice,*

PRAYERS.

On motion—

ORDERED, That a Select Committee be appointed, to whom all subjects connected with the Fisheries of this Province shall be referred, to enquire into and report upon.

ORDERED, That the Honorable Messieurs Davidson, Wark, and Robinson, be the said Committee.

On motion—

ORDERED, That a Select Committee be appointed to take into consideration and report upon all subjects relating to Agriculture.

ORDERED, That the Honorable Messieurs Harrison, Odell, Wark, Ryan, and Rice, be the said Committee.

On motion—

ORDERED, That a Select Committee be appointed to take into consideration all matters connected with the Trade and Commerce of the Country.

ORDERED, That the Honorable Messieurs Steeves, Todd, and Seely, be the said Committee.

Pursuant to the Order of the Day, the House was put into Committee of the whole

To

to take into consideration the Bill to incorporate the Hillsborough Mills and Manufacturing Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendment was then read by the Clerk, as follows:—

At A, Section 1, insert the word “ successor.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Saint Andrews Rural Cemetery Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Saint John Harmonic Society, together with the Report of the Select Committee thereon.

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to alter the time of holding the Circuit Court in the County of Charlotte.

The Honorable Mr. Robinson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John.

The Honorable Mr. Harrison took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to erect the eastern part of the Parish of Pennfield, in the County of Charlotte, into a separate Town or Parish.

The Honorable Mr. Todd took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend an Act to divide the Parish of Carleton, in the County of Kent, into two Parishes.

The Honorable Mr. Steeves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to repeal an Act to provide for the more effectually repairing the Roads and Bridges in the Parishes of Campo Bello and Grand Manan, so far as it relates to the Parish of Grand Manan.

The Honorable Mr. Robinson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Lawrence, with a Bill to authorize the Directors of the Saint John Seamen's Friend Society to wind up and close the affairs of the said Society; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Odell, by leave, presented the following Petitions:—

From the Justices of the County of York, for amendment in the Law relating to Municipalities: and

From R. Hayne, Esquire, for a Grant to a Road through the Lands of the New Brunswick and Nova Scotia Land Company.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Seely, by leave, presented a Petition from the Saint John Seamen's Friend Society, for an Act of Assembly.

ORDERED, That the same be received and lie on the Table.

The

The Honorable Mr. Robinson, by leave, presented a Petition from Thomas Moses and others, that the Fishery Society at Campo Bello may be sustained on the same terms as the Agricultural Societies.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Rice, by leave, presented the following Petitions :—

From Stanislaus Dumond, for remuneration for loss occasioned by a new Road :

From the Warden and Council of Carleton, praying that copies of local Bills read before Grand Juries be furnished to the Secretary-Treasurer :

From the same, that the Road on the east side of the River Saint John be placed on the Great Road list :

From the same, for amendment of the Municipal Law of this Province : and

From Francis Petite, for remuneration for ferrying the Mails.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Gordon, by leave, presented a Petition from William Armstrong, for compensation for building a Bridge at Bathurst.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented a Petition from Alexander Fraser, for return Duty.

ORDERED, That the same be received and lie on the Table.

On motion—

ORDERED, That the Honorable Messieurs Saunders and Peters have leave of absence.

Adjourned until To-morrow at half-past 1 o'clock P. M.

TUESDAY, 3rd March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Todd,
Mr. Rice,*

*Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to amend an Act to divide the Parish of Carleton, in the County of Kent, into two Parishes :

A Bill to incorporate the Saint John Harmonic Society :

A Bill to repeal an Act to provide for the more effectually repairing the Roads and Bridges in the Parishes of Campo Bello and Grand Manan, so far as it relates to the Parish of Grand Manan: and

A Bill to incorporate the Hillsborough Mills and Manufacturing Company.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the last entered Bill with an amendment, to which they desire the concurrence of the Assembly.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the three first entered Bills without any amendment.

Pursuant to the Order of the Day, the Bill to authorize the Directors of the Saint John Seamen's Friend Society to wind up and close the affairs of the said Society, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to erect the eastern part of the Parish of Penfield, in the County of Charlotte, into a separate Town or Parish.

The Honorable Mr. Todd took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to alter the time of holding the Circuit Court in the County of Charlotte.

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. C. Perley, with a Bill to continue the several Acts relating to the Maduxnikik Boom Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Street, with a Bill to authorize the Rector, Church Wardens and Vestry of All Saints' Church, in the Parish of Saint Andrews, to sell the Glebe and Church Lands in the said Parish; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. M'Adam, with a Bill relating to the Public Burial Grounds in the Parish of Saint Stephen; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Seely, by leave, presented a Petition from J. D. Beardsley and others, for continuance of Act incorporating Maduxnikik Boom Company.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Rice, by leave, presented the following Petitions:—

From Charles A. Hammond and others, for aid to a Bridge:

From George Clowes and others, for aid to improve Towing Paths on River Saint John:

From J. A. C. Phillips, for investigation in reference to Timber cut on Disputed Territory:

From George Drake, for remuneration for Goods seized by Deputy Treasurer, Carleton: and

From Thomas Cowley and others, for aid to a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented a Petition from James White and others, for Act of Assembly in reference to Sheriff Street, Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

From Charles Prescott and others, for amendment of the Northumberland Straits Fishing Company Act: and

From the Reverend Mr. Ferrie, for Act to amend Act of Incorporation of Presbyterian Church in New Brunswick.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Robinson, by leave, presented the following Petitions:—

From inhabitants of West Isles, for preservation of Spawning Ground: and

From Trustees of Schools of Grand Manan, for aid to a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock, P. M.

WEDNESDAY, 4th March, 1857.

PRESENT:

THE HON.

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Harrison,*

Mr. Black, President.

*Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,*

Mr.

Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.

Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Rice,

PRAYERS.

Pursuant to the Order of the Day, the Bill to erect the eastern part of the Parish of Pennfield, in the County of Charlotte, into a separate Town or Parish, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to continue the several Acts relating to the Maduxnikik Boom Company:
 A Bill relating to the Public Burial Grounds in the Parish of Saint Stephen: and
 A Bill to authorize the Rector, Church Wardens and Vestry of All Saints' Church, in the Parish of Saint Andrews, to sell Glebe and Church Lands in the said Parish.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the Directors of the Saint John Seamen's Friend Society to wind up and close the affairs of the said Society.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to regulate the Road Tax on Non-Residents on Property situate on Islands in the River Saint John.

The Honorable Mr. Steeves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendment was then read by the Clerk, as follows:—

At A at the end of the Bill, add a new Section, as follows:—

2. The duty of assessing, levying and collecting the moneys so to be expended in the Parish where the owner resides, shall be performed by the Commissioners of Highways and Collectors of Rates in such Parish, instead of in the Parish where the
 Islands

Islands are situate, and in the same manner as all other assessments and collections for Highways are made, and shall, when collected, be paid to the said Commissioners of Highways of the Parish where the owner resides, to be by them expended as here-inbefore mentioned.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish.

The Honorable Mr. Ryan took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to incorporate the Saint Andrews Rural Cemetery Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, had made progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and they were again read by the Clerk, as follows:—

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council a copy of a Report which His Excellency has received from the Council of King's College.

Government House, March 3, 1857.

J. H. T. M-S.

At a Meeting of the College Council, held on Monday the 2nd day of February 1857, at 11 o'clock, A. M. at the Committee Room of the Legislative Council, called by Order of the Chancellor—

PRESENT :

The Chancellor,
Hon. Mr. Black,
Attorney General,
Provincial Secretary,

Mr. Justice Wilmot,
Hon. Mr. Montgomery,
Dr. Toldervy.

Minutes of last Council read.

11

Mr.

Mr. Justice Wilmot applied to have the Lots No. 40 and 41, in the fifth Range, conveyed to James Farrell, on his securing the purchase money by Bond and Mortgage thereon.

Ordered, That the Registrar give effect to this arrangement.

Read, a Petition from Thomas Doran, applying to purchase half Lot 32 in the fourth Range, under Lease to him.

Complied with at the upset price of £100.

Walter Broderick applies to purchase Lot No. 29 in the fourth Range.

Complied with at the upset price of £50.

Nathaniel Cameron applies to purchase Lots 37, 38 and 39, in fifth Range.

Complied with as to Lots 38 and 39, at the upset price of £100.

Michael Ryan applies to purchase Lot No. 1 in the twelfth Range.

Complied with at the upset price of £65.

The Registrar to take Security on the aforesaid Lands for any portion of the Purchase Money not paid, and reinvest the balance in Real Security.

Mr. Justice Wilmot submits a Report upon the present condition of the College, and suggests a plan for its improvement, accompanied with a Bill to carry into effect the principles of the Report.

The Report is as follows :—

2nd February 1857.

Two Sessions of the Legislature having passed by since the Report of the Commissioners appointed in 1854 on King's College, without any action having been had thereon, and as the subject is one of paramount importance to the Educational interests of this Province, it may not be out of place for the College Council itself to consider it, and if possible, prepare a Bill which will meet the exigencies of the case, by providing for such reforms in the Constitution and management of the College, as will satisfy the public requirements. Should the Council agree to the provisions of such a Bill, it could at once be submitted to His Excellency to be brought before the Legislature at the approaching Session.

It must be admitted by all, that up to the present time King's College has failed to realize the expectations of its founders and friends. The causes of such failure it is not now necessary to inquire into; but if any thing can be done to make it more attractive to the youth of the Province, if any measure can be adopted to inspire public confidence in its domestic and Educational management, and to afford every reasonable assurance that the moral as well as the intellectual improvement of its Students will be sedulously regarded, without any interference with their peculiar religious opinions, then such a measure ought at once be attempted.

King's College being a Provincial Institution, endowed from the public funds, and therefore belonging alike to every denomination of Christians, should be adapted as far as practicable to the wishes and sentiments of the Provincial proprietary, and therefore no one denomination should have the pre-eminence in its management.

To command the public patronage it must also command the public sympathy and confidence, and it is hoped that the accompanying Draft of Bill which has been prepared with much care and deliberation, will in its principles so commend itself to the Provincial public as not only to become a Law of the Land, but to inspire new hopes and beget a strong confidence in the future prosperity and usefulness of the College.

This Bill is in accordance with the Draft recommended by the Commissioners in the following respects :—

In the formation of a University with the privilege of affiliation to kindred Institutions.

In making the Senate of the University the Corporation of King's College.

In authorizing the founding of Professorships and Scholarships by private persons, &c.

And in the Programme of Instruction providing for the Collegiate and Special courses.

The peculiar provisions of the present Bill are—

That the Senate shall be composed of Laymen.

That there shall be no Professorship of Theology, and no religious test.

That

That every Student shall have a Religious instruction outside of the College.

That portions of the Bible shall be read and Prayers offered daily morning and evening, at which all resident Students shall be present, unless excused by request of their Parents or Guardians.

That gratuitous instruction shall be given to a specified number of deserving Youths from each County.

That two Scholarships shall be established in every County Grammar School for deserving Youth of the Parish Schools of poor Parents; and

That for the same class of Youth there shall be one Scholarship in the College for each County Grammar School.

A President of the College, with a specification of his powers and duties.

A Board of Discipline within the College.

And provision for any person attending courses of Lectures on payment of fees.

In providing that the governing Body shall be composed of Laymen, it is not because the competency of Divines to manage an Institution of Learning is doubted; very far from it; but as this Bill is based upon the fact that the College is alike the property of all denominations in the Province, it is considered that a Senate of Laymen, representing as far as practicable those denominations, would be more likely to secure the public approbation as well as the approval of a large majority, if not all, of the Ministers themselves.

Religious instruction is made indispensable in every case, and no Student can be allowed a Term or take a Degree without a satisfactory Certificate from his Religious instructor.

“On this subject,” (to adopt the language of the Commissioners) “there should be no difference of opinion in a christian land and among a christian people. No youth can be well educated who is not instructed in Religion as well as in Science and Literature. * * * As the Government is not constituted to represent and inculcate the sentiments of any one Religious persuasion, (in contradistinction to those of other Religious persuasions), so it would be false to its duty and character to attempt to do so. But the Government, if not as representing the collective sentiments of all Religious persuasions, yet as being at least the guardian of their equal rights, should require that the evidences, the truths, and the morals of Christianity should lie at the foundation of all public collegiate instruction, and the spirit of Christianity pervade its whole administration. As to the teaching of what is peculiar to each Religious persuasion, this clearly appertains to such Religious persuasion and not to the Government.

“It is confessedly the duty of each denomination to provide for the religious instruction of its own youth, and the responsibility of performing or neglecting that duty rests with such Religious persuasion, and not with the Government.”

In connection with this subject, the admirable sentiments of Professor Sedgwick may be quoted. “A Philosopher may be cold-hearted and irreligious, a Moralist may be without benevolence, and a Theologian may be wanting in the common charities of life. All this shows that *knowledge* is not enough unless feelings and habits go along with it to give it its meaning and to carry it into practical effect. *Religion* reaches the fountain head of all these evils, and she alone gives us an antagonist principle whereby we may effectually resist them.”

While religious instruction is made indispensable to a collegiate course of education, it is not too much to expect that such instruction will, in all cases, be based upon the sublime yet simple and saving truths of our common Christianity, and will comprehend that pure and unsurpassed system of ethics which, while it bears internal evidence of its Divine origin, is beyond all others calculated to promote the well-being of mankind and unite them together in the bonds of brotherly love.

In many of the rural districts and remote settlements there are lads richly endowed with native talent, who bear away the palm in their Parish Schools, but who from the inability of their parents to support them through a long course of study, are shut out from the higher Institutions of learning. For the encouragement of this class some provision is made in this Bill, which, while it opens up a pathway to the highest Collegiate education, and offers assistance to the ambitious youth in his advancement, should be viewed only as a well merited reward for industry and talent.

Such encouragement will do honor to all concerned, and will doubtless secure for life the gratitude of those who may avail themselves of its advantages.

Again there may be others in different parts of the Province, who thirsting for knowledge, yet
with

with limited means, would contrive to obtain a Collegiate education if the fees were remitted; provision for such class is made in this Bill, and should any avail themselves of such gratuitous instruction, they may be assured that their country will be far more than compensated by a subsequent life of honorable industry and usefulness.

Others may not be able to attend sufficiently long to obtain a Degree or a Diploma, but who would gladly avail themselves of a course of Lectures in some branch of Science, if permitted so to do, and for such class provision is made by this Bill.

Moved by Dr. Toldervy and seconded by Mr. Black.

Resolved, That the Draft of Bill, with the Report now submitted by Mr. Justice Wilmot, be adopted, and that they be transmitted to the Visitor to be laid before the Legislature.

Adjourned *sine die*.

I certify the above to be a true extract from the Minutes of the College Council.

(Signed)

CHARLES FISHER, *Registrar*.

[*For the Bill see Appendix.*]

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council, copies of the following Despatches, with respect to "An Act relating to certain Exemptions from Duty," viz:—

1. Despatch from the Lieutenant Governor to the Secretary of State, July 31st, 1856, No. 11.

2. Despatch from the Secretary of State to the Lieutenant Governor, November 22nd, 1856, No. 70.

3. Despatch from the Lieutenant Governor to the Secretary of State, January 1st, 1857, No. 1.

J. H. T. M-S.

Government House, March 3, 1857.

(Copy)—No. 11.

Government House, Fredericton, New Brunswick, July 31, 1856.

SIR,—Herein enclosed, I have the honor to forward to you the certified copy of an Act, entitled "An Act relating to certain Exemptions from Duty," which passed the Legislature on the 1st May last. This Act, you will observe, contains a clause suspending its operation until Her Majesty's approbation of it shall have been declared.

2. Before I enter on any explanation of this Act, I should state that, at an early period of the Session in which it was passed, a Bill which, under a different title, viz. that of "An Act in addition to Chap. 23, Title iii. of Revised Statutes, Of Charlotte County Exemption from Duties," contained precisely the same provisions, with the exception of the suspending clause, had been introduced and concurred in, both by the House of Assembly and by the Legislative Council, before I was aware that any such measure was under consideration. A short time before the conclusion of the Session, my attention was incidentally called to this Bill, which was then awaiting my assent. On examining it, I came to the conclusion that I could not, consistently with my instructions, assent to it; and the then Attorney General, Mr. Fisher, to whom I communicated the views which I entertained upon this subject, concurred in them, as appears from a copy of his Report, which is attached to the copy of the Bill herein enclosed, marked B.

3. As soon as I had made known my intention to decline to assent to this Bill, another Bill, entitled "An Act relating to certain Exemptions from Duty," was introduced by the Attorney General, and this Bill also passed both Houses of the Legislature. The same objections, in principle, which applied to the first Bill, applied with equal force to the second Bill, for the enacting clauses of the two Bills were, in fact, copies of each other; but I did not think it right, without special instructions from

from the Secretary of State, to refuse my assent to a measure which had not previously been disallowed by Her Majesty; and the operation of which was postponed by a suspending clause until Her Majesty's approval of it should have been declared. I therefore assented to the "Act relating to certain Exemptions from Duty," at the same time that I "reserved" the Bill which, although identical with it in every other respect, did not contain a clause of this nature. I trust, Sir, that in the course which I thus pursued, I did not misconceive the spirit of my instructions.

4. The Act to which I gave my assent under the peculiar circumstances abovementioned will, if it should be approved of by Her Majesty, confer on the Timber Trade with the United States of a particular Town in this Province, and on the vessels entering the harbour of that Town from, and clearing thence for, the United States, special commercial privileges. It is, therefore, clearly at variance with the principles which regulate the Trade of the Empire, even if it should not be found to be inconsistent with existing Treaties; and it is unnecessary for me to offer any further remarks on the general character of the Act. But it is right that I should lay before you, so far as I am enabled to do so, an explanation of the objects for the attainment of which I believe the measure to have been introduced, and the grounds on which, as I am informed, it has been advocated by its supporters.

5. I should, in the first instance, recall to your recollection that a duty is levied in this Province on Timber exported from it, (this duty having been imposed some years ago as a substitute for the stumpage previously leviable on all logs cut on the Crown Lands in the Province,) and that dues are levied on vessels entering and clearing from the several Ports and Harbours in the Province, for the maintenance of Harbours, Lights, &c. In both these particulars the system in force here differs from that in operation in the United States. In that country a stumpage is collected on logs cut on the wild lands, but no duty is levied on Timber exported; and, while a great portion of the local expenditure which is here defrayed from the Provincial Treasury, is in the United States provided for by local taxation, no duties of the nature of Light Dues, Harbour Dues, &c., are levied on vessels entering and clearing from the harbours of the United States, the expense of maintaining these Lights, Harbours, &c., being defrayed from the public funds.

6. Now, Sir, the Town of Saint Stephen, to the trade of which Town alone with the United States, the Act now under consideration applies, is, as you are aware, situate on the River St. Croix, (the boundary between this Province and the State of Maine,) and it is asserted by those who are engaged in the Timber Trade at Saint Stephen, that the freedom from export duty of the timber shipped at Calais, (a Town in the State of Maine situate on the right bank of the Saint Croix, and immediately opposite to Saint Stephen,) and the freedom from Harbour Dues, Light Dues, &c., of the vessels which enter and clear from the Harbour of Calais, offer an inducement to the investment of capital in the erection of Mills and Wharves at Calais, instead of at Saint Stephen, and thus operate to the prejudice of Saint Stephen.

7. It is also asserted, and I believe correctly, that the exemptions from duty proposed by the Act, will not materially decrease the receipts either of the Export Timber Duty or of the Harbour Dues, Light Dues, &c., collected in this Province, inasmuch as in the existing state of affairs the amount collected under each of these heads at Saint Stephen, is comparatively very small. For ships engaged in the Timber Trade of the District adjoining the River Saint Croix, generally enter and clear from the free Harbour of Calais, and there load in the shape of Timber also free of export duty, a very large proportion of the logs cut on this side of the River, which logs have been floated across without payment of the export duty, and without detection, to the Mills at Calais.

8. On the other hand, however, it is true that, if the trade of Saint Stephen is subjected to some imposts from which the trade of Calais is free, the inhabitants of Saint Stephen possess advantages which are not possessed by their competitors in trade at Calais. For, independently of the fact that the duty which is leviable on Timber exported from this Province, must be regarded as a substitute for the stumpage levied on logs cut in the United States, the comparative lightness of the local taxes levied in New Brunswick, and the moderate character of the Tariff generally, offer great inducements to the acquisition of property, and to residence on this side of the River Saint Croix instead of on the other.

9. But, Sir, even if this were not the case, it must be remembered that, if the Act receive Her Majesty's sanction, the duties from the payment of which the trade of Saint Stephen will be relieved, will still continue to be levied on the trade of every other part of the Province, and if these duties

are removed or lessened at Saint Stephen, to enable that Town to compete on more favourable terms with Calais, it will, as it appears to me, be impossible, with any show of justice, to refuse the applications which may speedily be expected from Saint John, from Miramichi, and from every other place in the Province interested in the Timber Trade, to be placed on a footing of equality with Saint Stephen.

10. When viewed in this light, the measure under discussion, although at first sight it might appear to be strictly of a local character, involves considerations, which, apart from any question of abstract principle, are, in my opinion, of great general importance. For in the existing financial condition of the Province, any material relaxation of the duties now levied on Timber exported from the Province, or of the dues now levied on vessels for the support of the Harbours, Lights, &c., will render necessary either the imposition of new taxes to supply the deficiency thus created, or the curtailment of the public expenditure on the Roads, Bridges, &c., of the Province, the expenditure on which is, in the United States, mainly defrayed by local taxation, but to the construction and maintenance of which, in this Province, a large portion of the public revenue is annually applied.

I have, &c.

(Signed)

J. H. T. MANNERS-SUTTON.

Right Honorable H. Labouchere, M. P., &c., &c., Colonial Office.

Enclosures in Despatch No. 11, July 31st, 1856.

1. Certified copy of an Act intituled "An Act relating to certain Exemptions from Duty."
2. Copy of an Act intituled "An Act in addition to Chapter 23, Title iii. of the Revised Statutes, Of Charlotte County Exemptions from Duty."
3. Extract from the Attorney General's Report, dated 29th April, 1856, on certain Acts passed by the Legislature in that month.

* * * * *

No. 41, intituled "An Act in addition to Chapter 23, Title iii, of the Revised Statutes, Of Charlotte County Exemptions from Duties," was passed by the House of Assembly and the Legislative Council without a suspending clause; and I beg to recommend that Your Excellency's assent there-to should be reserved.

No. 56, intituled "An Act relating to certain Exemptions from Duty," enacts the same provisions, and supplies the defect in No. 41, before referred to.

* * * * *

(Signed)

CHARLES FISHER.

(Copy)—No. 70.

Downing Street, November 22, 1856.

SIR,—I have to acknowledge your Despatch No. 11, of July 31st, forwarding an Act, No. 2520, passed by the Legislature of New Brunswick (with a suspending clause) "relating to certain Exemptions from Duty."

2. By this Act certain special privileges are conferred upon the United States as regards the trade with the Port of Saint Stephen, viz:—1st, Timber exported to the United States from the Port of Saint Stephen is exempted from Export Duty; and 2ndly, Vessels arriving at the Port of Saint Stephen from the United States are exempted from Light House, Harbour, and other dues.

3. Legislation conferring exclusive privileges of commerce, is opposed to the commercial policy which this country has deliberately adopted, and in the present case, besides the objection pointed out by yourself, arising from the distinction established between the Ports of Saint Stephen and other Ports of the Colony, the exemptions proposed to be established in favour of the United States, are inconsistent with many of the Commercial Treaties which have been entered into by Great Britain with Foreign States, and which contain articles (commonly known as "the most favoured nations" clauses) under which a participation in those exemptions could justly be claimed by these States.

4. On these grounds, it appears to Her Majesty's Government that Her Majesty cannot be properly advised to sanction this Act. As it contains a suspending clause, it will therefore remain without effect.

5. It does not appear necessary that any step should be taken with regard to the Bill, No. 2521, intituled "An Act in addition to Chapter 23, Title iii, of Revised Statutes, Of Charlotte County Exemptions

Exemptions from Duties." I must, however, remark, that I do not know on what principle you were advised by your late Attorney General, Mr. Fisher, that "your assent to the Bill should be reserved." I am not aware that your Commission gives you any other power than that of assenting to or refusing your assent to Bills. In Canada and other parts of Her Majesty's dominions, the power to "reserve" Bills is explicitly given by the Acts of Parliament creating their Legislative Constitution; but no such Act of Parliament exists in the case of New Brunswick, and the power in question is one which cannot, I apprehend, be conveyed by mere implication; I should conceive, therefore, that a Bill to which your assent has not been given during the Session, becomes simply a dropped Bill. But I have not taken any legal opinion on this subject, as there appeared no occasion for it, and there may be usage or precedent in favour of the course taken by you, of which I am unaware.

I have, &c.

(Signed)

H. LABOUCHERE.

His Excellency the Lieutenant Governor, &c., &c., &c., New Brunswick.

(Copy)—No. 1. *Government House, Fredericton, New Brunswick, January 1st, 1857.*

SIR,—With reference to the fifth paragraph of your Despatch of the 22d November 1856, No. 70. I desire to explain, that in "reserving" the Bill intituled "An Act in addition to Chapter 23, Title iii, of Revised Statutes, Of Charlotte County Exemptions from Duties," I pursued the course indicated by precedent under similar circumstances in this Province. But I have never doubted that in the absence of any specific provision to the contrary, either in the Commission of the Governor or of a statutory character, any Bill which does not during the Session receive the assent of each of the three Branches of the Legislature, must be regarded simply in the light of a "dropped Bill."

I have, &c.

(Signed)

J. H. T. MANNERS-SUTTON.

Right Honorable H. Labouchere, M. P. &c., &c., &c., Colonial Office.

A Message was brought from the Assembly by Mr. DesBrisay, with a Bill to amend Chapter 22, Title iii, of the Revised Statutes, "Of sick and disabled Seamen;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Lawrence, with the following Bills, to which they desire the concurrence of this House:—

A Bill in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum;" and

A Bill to amend the Act to incorporate the President, Trustees and Proprietors of Victoria College, in the City of Saint John.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to continue the Act to incorporate the Central Fire Insurance Company of New Brunswick, and the several Acts in amendment thereof; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined "A Bill to incorporate the Chatham Gas Light Company;" also "A Bill to incorporate the First Universalist Society at Mill Town in the Parish of Saint Stephen;" which said Bills they recommend to the favourable consideration of the House, without amendment.

Respectfully submitted.

Committee Room, March 4, 1857.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration.

Adjourned until To-morrow at 2 o'clock.

THURSDAY, 5th March, 1857.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

*Mr. Chandler,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John, as amended, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to amend Chapter 22, Title iii, of the Revised Statutes, "Of sick and disabled Seamen:"

A Bill to amend the Act to incorporate the President, Trustees and Proprietors of Victoria College, in the City of Saint John:

A Bill in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum:" and

A Bill to continue the Act to incorporate the Central Fire Insurance Company of New Brunswick, and the several Acts in amendment thereof.

ORDERED

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of All Saints' Church, in the Parish of Saint Andrews, to sell Glebe and Church Lands in the said Parish.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Chatham Gas Light Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the First Universalist Society at Mill Town in the Parish of Saint Stephen, together with the Report of the Select Committee thereon.

The Honorable Mr. Todd took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to continue the several Acts relating to the Maduxnik Boom Company.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Public Burial Grounds in the Parish of Saint Stephen.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

Circulars to and Answers from the several Counties in this Province, on the subject of the Election Law.

The Honorable Mr. Rice, by leave, presented the following Petitions:—

From James M^rIndoe for remuneration for services as Messenger to the House of Assembly :

From Charles A. Hammond and others, for legislation in reference to Crown Lands at Grand Falls : and

From William Stewart, for return Duties.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented a Petition from the Reverend W. Bennett and others, for Act of Incorporation for Synod of Presbyterian Church.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

FRIDAY, 6th March 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Rice,*

*Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to incorporate the Chatham Gas Light Company :

A Bill to incorporate the First Universalist Society at Mill Town in the Parish of Saint Stephen :

A Bill to authorize the Rector, Church Wardens and Vestry of All Saints' Church, in the Parish of Saint Andrews, to sell Glebe and Church Lands in the said Parish ; and

A Bill to continue the several Acts relating to the Maduxnikik Boom Company.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen."

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to alter the time of holding the Circuit Court in the County of Charlotte.

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into further consideration the Bill to incorporate the Saint Andrews Rural Cemetery Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The amendment was then read by the Clerk, as follows:—

At A expunge the whole Section, and insert as follows:—

7. The Corporation may set apart for the special and exclusive use of any denomination of Christians, a portion of ground within the said Cemetery, on such terms and conditions, and subject to such regulations, as may be mutually agreed on.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum."

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to continue the Act to incorporate the Central Fire Insurance Company of New Brunswick, and the several Acts in amendment thereof.

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend the Act to incorporate the President, Trustees and Proprietors of Victoria College, in the City of Saint John.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Lewis, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Hillsborough Mills and Manufacturing Company.

A Message was brought from the Assembly by Mr. Tapley, with the following Bills, to which they desire the concurrence of this House :—

A Bill to authorize the division of the Parish of Sheffield into two Parishes : and

A Bill to repeal the existing Laws relating to the granting of Mill Reserves.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to continue an Act intituled "An Act in addition to an Act intituled 'An Act to incorporate the Nashwaak Boom Company;'" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Papers :—

BANK OF NEW BRUNSWICK.*State of the Bank of New Brunswick, Monday 5th January 1857, 10 o'clock, A. M.***LIABILITIES OF THE BANK.**

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|-----------|-----------|
| Capital Stock paid, | - | - | - | - | - | £150,000 | 0 | 0 |
| Bills in circulation, | - | - | - | - | - | 80,707 | 7 | 6 |
| Net Profits on hand, | - | - | - | - | - | 11,625 | 11 | 6 |
| Balance due to other Banks, | - | - | - | - | - | 5,315 | 18 | 2 |
| Cash deposited, including all sums due from the Bank, not bearing Interest, (its Bills in circulation, Profits, and Balances due to other Banks, excepted,) | - | - | - | - | - | 42,024 | 17 | 5 |
| Cash deposited, bearing Interest, | - | - | - | - | - | 21,357 | 19 | 3 |
| Total Liabilities of the Bank, | - | - | - | - | - | £311,031 | 13 | 10 |

RESOURCES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|-----------|-----------|
| Gold, Silver, and other coined Metals in its Banking House, | - | - | - | - | - | £19,748 | 13 | 7 |
| Real Estate, | - | - | - | - | - | 5,005 | 1 | 7 |
| Bills of other Banks incorporated in this Province, | - | - | - | - | - | 16,605 | 2 | 6 |
| Balance due from other Banks, | - | - | - | - | - | 312 | 0 | 0 |
| Debts due to the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, (Balances due from other Banks excepted,) | - | - | - | - | - | 269,360 | 16 | 2 |
| Total Resources of the Bank, | - | - | - | - | - | £311,031 | 13 | 10 |

| | | | | | | | | |
|--|---|---|---|---|---|--------|---|---|
| Amount of the last Dividend, (declared 3rd October 1856,) | - | - | - | - | - | £6,000 | 0 | 0 |
| Reserved Profits at the time of declaring the last Dividend, | - | - | - | - | - | 6,945 | 1 | 4 |
| Doubtful Debts, | - | - | - | - | - | 0 | 0 | 0 |

R. WHITESIDE, *Cashier.*

I, Richard Whiteside, Cashier of the above named Bank, do solemnly swear that the above is true, according to the best of my knowledge and belief.

R. WHITESIDE, *Cashier.*

Sworn at the City of St. John, this fifteenth day of January, A. D. 1857, before me,
ROBERT W. CROOKSHANK, J. P.

CHARLOTTE COUNTY BANK.

State of the Charlotte County Bank on Monday the 7th day of April, A. D. 1856, at 3 o'clock, P. M.

DR.

| | | | | | | | | |
|-------------------------------|---|---|---|---|---|----------------|----------|----------|
| To Notes in circulation, | - | - | - | - | - | £10,874 | 10 | 0 |
| Reserved undivided Profits, | - | - | - | - | - | 351 | 8 | 5 |
| Due to other Banks, | - | - | - | - | - | 301 | 12 | 5 |
| Due from this Bank otherwise, | - | - | - | - | - | 15,655 | 16 | 9 |
| | | | | | | £27,183 | 7 | 7 |

| | CR. | |
|-------------------------------------|---------|-------------|
| To Specie on hand, - - - - | - - - - | £2,623 9 9 |
| Notes of other Banks, - - - - | - - - - | 2 10 0 |
| Due by other Banks, - - - - | - - - - | 1,253 0 9 |
| Due to this Bank otherwise, - - - - | - - - - | 23,304 7 1 |
| | | £27,183 7 7 |

Last Dividend, (3 per cent. for the half year,) declared 14th October, A. D. 1854.

I, Charles W. Wardlaw, Cashier of the Charlotte County Bank, do swear, according to the best of my knowledge and belief, that the above is a true and faithful statement of the affairs of the said Bank at 3 o'clock P. M. of Monday the seventh day of April, 1856.

C. W. WARDLAW, Cashier.

Sworn before me the 2d February 1857,
WILLIAM KEE, J. P.

We, the undersigned Directors of the Charlotte County Bank, do certify that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of said Bank.

GEO. D. STREET, Pres't.
HARRIS H. HATCH,
JAS. W. STREET,
S. T. GOVE.

*State of the Charlotte County Bank on Monday the 6th day of October, A. D. 1856,
at 3 o'clock, P. M.*

| | DR. | |
|-------------------------------------|---------|--------------|
| To Notes in circulation, - - - - | - - - - | £12,938 15 0 |
| Reserved undivided Profits, - - - - | - - - - | 602 5 11 |
| Due to other Banks, - - - - | - - - - | 134 6 0 |
| Due by this Bank otherwise, - - - - | - - - - | 15,841 10 1 |
| | | £29,516 17 0 |
| | CR. | |
| By Specie in hand, - - - - | - - - - | £2,321 14 3 |
| Notes of other Banks, - - - - | - - - - | 34 2 6 |
| Due by other Banks, - - - - | - - - - | 2,146 13 5 |
| Due to this Bank otherwise, - - - - | - - - - | 25,014 6 10 |
| | | £29,516 17 0 |

Last Dividend, (3 per cent. for the half year,) declared 14th October, A. D. 1854.

I, Charles W. Wardlaw, Cashier of the Charlotte County Bank, do swear, according to the best of my knowledge and belief, that the above is a true and faithful statement of the affairs of the said Bank at 3 o'clock, P. M. of Monday the 6th day of October A. D. 1856.

C. W. WARDLAW, Cashier.

Sworn before me the 2nd February 1857,
WILLIAM KEE, J. P.

We, the undersigned Directors of the Charlotte County Bank, do certify that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return so made by the Cashier of the said Bank.

GEO. D. STREET, *President.*
HARRIS H. HATCH,
JAS. W. STREET.

CENTRAL BANK OF NEW BRUNSWICK.

State of Central Bank of New Brunswick at 4 o'clock P. M. on Monday 2nd June 1856.

LIABILITIES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|----------|----------|
| Capital Stock paid in, | - | - | - | - | - | £35,000 | 0 | 0 |
| Bills in circulation, | - | - | - | - | - | 73,730 | 5 | 0 |
| Balance due to other Banks, | - | - | - | - | - | 0 | 0 | 0 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | - | - | - | - | - | 21,198 | 7 | 0 |
| Amount due from the Bank, bearing Interest, | - | - | - | - | - | 4,698 | 12 | 7 |
| Profits on hand, | - | - | - | - | - | 16,710 | 16 | 2 |
| | | | | | | <u>£151,338</u> | <u>0</u> | <u>9</u> |

RESOURCES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|----------|----------|
| Gold, Silver, and other coined Metals in its Banking House, | - | - | - | - | - | £5,476 | 7 | 6 |
| Bills of other Banks incorporated in this Province, | - | - | - | - | - | 1,788 | 12 | 6 |
| Balance due from other Banks, | - | - | - | - | - | 7,480 | 3 | 7 |
| Amount of all debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks, | - | - | - | - | - | 135,092 | 17 | 2 |
| Real Estate, | - | - | - | - | - | 1,500 | 0 | 0 |
| | | | | | | <u>£151,338</u> | <u>0</u> | <u>9</u> |

Date and amount of last Dividend, 3rd December 1855, 5 per cent. - £1,750 0 0

Amount of reserved Profits at the time of declaring the last Dividend, 14,988 4 2

Debts due and not paid, and considered doubtful, - 7,000 0 0

I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.

SAM. W. BABBIT.

Sworn before me this 10th day of February 1857,
ASA COY, J. P.

We, George Botsford, John Simpson, John S. Saunders, Charles Macpherson, George J. Dibblee, and John Harding, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.

G. BOTSFORD,
J. SIMPSON,
JOHN S. SAUNDERS,
C. MACPHERSON,
GEO. J. DIBBLEE,
JOHN HARDING.

Sworn before me this 10th day of February 1857,
ASA COY, J. P.

State of the Central Bank of New Brunswick at 4 o'clock, P. M. on Monday the 1st December 1856.

LIABILITIES OF THE BANK.

| | | | |
|---|-----------------|----------|----------|
| Capital Stock paid in, - - - - - | £35,000 | 0 | 0 |
| Bills in circulation, - - - - - | 83,305 | 0 | 0 |
| Balance due to other Banks, - - - - - | 4 | 2 | 5 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, - - - - - | 23,510 | 7 | 1 |
| Amount due from the Bank, bearing Interest, - - - - - | 3,382 | 19 | 4 |
| Profits on hand, - - - - - | 17,516 | 17 | 6 |
| | <u>£162,719</u> | <u>6</u> | <u>4</u> |

RESOURCES OF THE BANK.

| | | | |
|---|-----------------|----------|----------|
| Gold, Silver, and other coined Metals in its Banking House, - - - - - | £5,658 | 0 | 9 |
| Bills of other Banks incorporated in this Province, - - - - - | 1,499 | 12 | 6 |
| Balance due from other Banks, - - - - - | 19,675 | 8 | 7 |
| Amount of all debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks, - - - - - | 134,386 | 4 | 6 |
| Real Estate, - - - - - | 1,500 | 0 | 0 |
| | <u>£162,719</u> | <u>6</u> | <u>4</u> |

| | | | |
|--|--------|----|---|
| Date and amount of the last Dividend, 2nd June 1856, four per cent. - - - - - | £1,400 | 0 | 0 |
| Amount of reserved Profits at the time of declaring the last Dividend, - - - - - | 15,310 | 16 | 2 |
| Debts due and not paid, and considered doubtful, - - - - - | 7,000 | 0 | 0 |

I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.

SAM. W. BABBIT.

Sworn before me this 10th day of February 1857.
ASA COY, J. P.

We, George Botsford, John Simpson, John S. Saunders, Charles Macpherson, George J. Dibblee, and John Harding, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.

G. BOTSFORD,
J. SIMPSON,
JOHN S. SAUNDERS,
C. MACPHERSON,
GEO. J. DIBBLDE,
JOHN HARDING.

Sworn before me this 10th day of February 1857.
ASA COY, J. P.

State of the Central Bank of New Brunswick at 4 o'clock P. M. on Thursday the 26th February 1857.

LIABILITIES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|----------|----------|
| Capital Stock paid in, | - | - | - | - | - | £35,000 | 0 | 0 |
| Bills in circulation, | - | - | - | - | - | 70,835 | 10 | 0 |
| Balance due to other Banks, | - | - | - | - | - | 2 | 10 | 10 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | - | - | - | - | - | 27,908 | 14 | 6 |
| Amount due from the Bank, bearing Interest, | - | - | - | - | - | 2,639 | 10 | 7 |
| Profits on hand, | - | - | - | - | - | 16,706 | 14 | 6 |
| | | | | | | <u>£153,093</u> | <u>0</u> | <u>5</u> |

RESOURCES OF THE BANK.

| | | | | | | | | |
|--|---|---|---|---|---|-----------------|----------|----------|
| Gold, Silver, and other coined Metals in its Banking House, | - | - | - | - | - | £5,914 | 1 | 2 |
| Bills of other Banks incorporated in this Province, | - | - | - | - | - | 140 | 0 | 0 |
| Balance due from other Banks, | - | - | - | - | - | 12,269 | 16 | 2 |
| Amount of all debts due, including Notes, Bill of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks, | - | - | - | - | - | 133,279 | 3 | 1 |
| Real Estate, | - | - | - | - | - | 1,500 | 0 | 0 |
| | | | | | | <u>£153,093</u> | <u>0</u> | <u>5</u> |

| | | | | | | | | |
|---|---|---|---|---|---|--------|----|---|
| Date and amount of the last Dividend, 1st December 1856, four per cent. | | | | | | £1,400 | 0 | 0 |
| Amount of Reserved Profits at the time of declaring the last Dividend, | | | | | | 16,116 | 17 | 6 |
| Debts due and not paid, and considered doubtful, | - | - | - | - | - | 7,000 | 0 | 0 |

I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.

SAMUEL W. BABBIT, *Cashier.*

Sworn before me this 2nd day of March 1857.
ASA COY, *J. P.*

We, George Botsford, John S. Saunders, Joseph Fleming, John Simpson, Charles Macpherson, and George J. Dibblee, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.

GEO. BOTSFORD,
JOHN S. SAUNDERS,
JOSEPH FLEMING,
J. SIMPSON,
C. MACPHERSON,
GEO. J. DIBBLEE.

Sworn before me this 2nd day of March 1857.
ASA COY, *J. P.*

SAINT STEPHEN'S BANK.

State of the Saint Stephen's Bank on the 10th day of July 1856, at 3 o'clock, P. M.

DUE FROM THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|----------------|----------|----------|
| Capital Stock paid in, | - | - | - | - | - | £50,000 | 0 | 0 |
| Bills in circulation, | - | - | - | - | - | 28,548 | 10 | 0 |
| Net Profits on hand, | - | - | - | - | - | 6,177 | 18 | 8 |
| Balance due to other Banks, | - | - | - | - | - | 6,867 | 11 | 5 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | - | - | - | - | - | 7,875 | 1 | 4 |
| Cash deposited, bearing Interest, | - | - | - | - | - | 0 | 0 | 0 |
| Total amount due from the Bank, | - | - | - | - | - | £99,469 | 1 | 5 |

RESOURCES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|----------------|----------|----------|
| Gold and Silver in its Banking House, | - | - | - | - | - | £5,496 | 2 | 1 |
| Real Estate, | - | - | - | - | - | 1,070 | 14 | 2 |
| Bills of other Banks incorporated in this Province, | - | - | - | - | - | 3,192 | 5 | 0 |
| Bills of other Banks without the Province, | - | - | - | - | - | 588 | 0 | 0 |
| Balances due from other Banks, | - | - | - | - | - | 2,267 | 10 | 5 |
| Amount of all debts due the Bank, including Notes, Bills of Exchange, and all Stock and Funded debts of every description, excepting balances due from other Banks, | - | - | - | - | - | 86,854 | 9 | 9 |
| Total amount of Resources of the Bank, | - | - | - | - | - | £99,469 | 1 | 5 |

Date and time of declaring the last Dividend, March 30, 1856.

| | | | | | | | |
|---|---|---|---|---|--------|---|---|
| Amount of last Dividend, 4 per cent. | - | - | - | - | £2,000 | 0 | 0 |
| Amount of Reserved Profits at the time of declaring the same, | - | - | - | - | 4,375 | 0 | 0 |
| Amount of all debts due not paid and considered doubtful, none. | - | - | - | - | | | |

D. UPTON, *Cashier.*

CHARLOTTE, ss.—On this twenty eighth day of January in the year of our Lord one thousand eight hundred and fifty seven, personally appeared David Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding Return by him signed, according to the best of his knowledge and belief.

R. WATSON, *J. P.*

State of the Saint Stephen's Bank, 1st Monday of January 1857, at 3 o'clock, P. M.

DUE FROM THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|-----------|----------|
| Capital Stock paid in, | - | - | - | - | - | £50,000 | 0 | 0 |
| Bills in circulation, | - | - | - | - | - | 35,886 | 15 | 0 |
| Net Profits on hand, | - | - | - | - | - | 6,720 | 15 | 10 |
| Balance due to other Banks, | - | - | - | - | - | 2 | 10 | 0 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | - | - | - | - | - | 7,832 | 12 | 2 |
| Cash deposited, bearing Interest, | - | - | - | - | - | 0 | 0 | 0 |
| Total amount due from the Bank, | - | - | - | - | - | £100,442 | 13 | 0 |

RESOURCES OF THE BANK.

| | | | | | | | | |
|---|---|---|---|---|---|-----------------|-----------|----------|
| Gold and Silver in its Banking House, | - | - | - | - | - | £5,514 | 6 | 11 |
| Real Estate, | - | - | - | - | - | 1,070 | 11 | 8 |
| Bills of other Banks incorporated in this Province, | - | - | - | - | - | 1,176 | 15 | 0 |
| Bills of other Banks without the Province, | - | - | - | - | - | 2,150 | 5 | 0 |
| Balances due from other Banks, | - | - | - | - | - | 8,603 | 16 | 10 |
| Amount of all debts due the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, excepting Balances due from other Banks, | - | - | - | - | - | 81,926 | 17 | 7 |
| Total amount of Resources of the Bank, | - | - | - | - | - | £100,442 | 13 | 0 |

Date and time of declaring the last Dividend, Sept. 30, 1856.

| | | | | | | | | |
|---|---|---|---|---|---|--------|---|---|
| Amount of last Dividend, 4 per cent. | - | - | - | - | - | £2,000 | 0 | 0 |
| Amount of Reserved Profits at the time of declaring the same, | - | - | - | - | - | 4,875 | 0 | 0 |
| Amount of all debts due not paid and considered doubtful, | - | - | - | - | - | 0 | 0 | 0 |

D. UPTON, *Cashier.*

CHARLOTTE, ss.—On this twenty eighth day of January in the year of our Lord one thousand eight hundred and fifty seven, personally appeared D. Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding Return by him signed, according to the best of his knowledge and belief.

R. WATSON, *J. P.*

WESTMORLAND BANK.

State of the Westmorland Bank on Monday the 7th day of July 1856, at 3 o'clock P. M.

* DUE FROM THE BANK.

| | | | |
|---|---------|---|---|
| Bills in circulation, | £25,053 | 0 | 0 |
| Net Profits on hand, | 156 | 5 | 7 |
| Balances due to other Banks, | 1,512 | 6 | 0 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | 1,741 | 9 | 7 |
| Cash deposited, bearing Interest, | 3,190 | 0 | 0 |
| Total amount due from the Bank, | £31,653 | 1 | 2 |

RESOURCES OF THE BANK.

| | | | |
|--|---------|----|---|
| Gold, Silver, and other coined Metals in its Vaults, | £2,706 | 14 | 5 |
| Bills of other Banks incorporated in this Province, | 119 | 2 | 6 |
| Balances due from other Banks, | 473 | 4 | 2 |
| Real Estate, | 1,196 | 0 | 9 |
| Amount of all debts due, including Notes, Bills of Exchange, also all Stock and Funded debts of every description, except the Balances due from other Banks, | 42,157 | 19 | 4 |
| Total amount of Resources of the Bank, | £46,653 | 1 | 2 |

| | | | |
|--|-------|---|---|
| Last Dividend declared 31st May 1856, 4 per cent. for half year, | £600 | 0 | 0 |
| Amount of Reserved Profits on hand at the time of declaring last Dividend, | 1,217 | 9 | 7 |
| Amount of debts due and not paid, and considered doubtful, | 0 | 0 | 0 |

I certify that the above statement is just and correct, according to the best of my knowledge and belief.

J. M'ALLISTER, *Cashier.*

Sworn before me this 22nd day of July 1856,
ALEXANDER WRIGHT, *J. P.*

We certify that we have full confidence in the statement now signed and attested by our Cashier, and believe the facts as stated above to be correct, according to the best of our knowledge and belief.

O. JONES, *President.*
JOHN HUMPHREY, } *Directors,*
E. B. CHANDLER, Jr. }

Sworn before me this 22nd day of July 1856,
ALEXANDER WRIGHT, *J. P.*

State of the Westmorland Bank on Monday the 5th day of January 1857 at 3 o'clock P. M.

DUE FROM THE BANK.

| | | | |
|---|----------------|-----------|-----------|
| Bills in circulation, | £30,689 | 0 | 0 |
| Net Profits on hand, | 157 | 5 | 7 |
| Balances due to other Banks, | 0 | 0 | 0 |
| Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, | 2,415 | 5 | 4 |
| Cash deposited, bearing Interest, | 2,990 | 0 | 0 |
| Total amount due from the Bank, | £36,251 | 10 | 11 |

RESOURCES OF THE BANK.

| | | | |
|--|----------------|-----------|-----------|
| Gold, Silver, and other Coined Metals in its Vaults, | £2,756 | 7 | 11 |
| Bills of other Banks incorporated in this Province, | 212 | 0 | 0 |
| Balance due from other Banks, | 7,492 | 7 | 5 |
| Real Estate, | 1,196 | 0 | 9 |
| Amount of all Debts due, including Notes, Bills of Exchange, also all Stock and Funded debts of every description, except the Balances due from other Banks, | 42,584 | 14 | 10 |
| Total amount of Resources of the Bank, | £54,241 | 10 | 11 |

| | | | |
|---|-------|----|----|
| Last Dividend declared 29th November 1856, and payable 10th January 1857, 4 per cent. for six months, | £600 | 0 | 0 |
| Amount of Reserve Fund on hand at time of declaring last Dividend, | 1,586 | 17 | 10 |
| Amount of debts due and not paid, and considered doubtful, | 0 | 0 | 0 |

I certify that the above statement is just and correct according to the best of my knowledge and belief
J. M'ALLISTER, Cashier.

Sworn before me this 8th day of January 1857,
JOSEPH SALTER, Mayor and J. P.

We certify that we have full confidence in the statement now signed and attested by our Cashier, and believe the facts as stated above to be correct, according to the best of our knowledge and belief.

O. JONES, President.
E. B. CHANDLER, Jr. } Directors.
WILLIAM STEADMAN, }

Sworn before me this 8th day of January 1857,
JOSEPH SALTER, Mayor and J. P.

The Honorable Mr. Rice, by leave, presented a Petition from R. C. Armstrong, for remuneration for Liquor, Horse, &c. seized and sold by Deputy Treasurer.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

SATURDAY, 7th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Kinnear,
Mr. Peters,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Rice,*

*Mr. Chandler,
Mr. Minchin,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to alter the time of holding the Circuit Court in the County of Charlotte :

A Bill to amend the Act to incorporate the President, Trustees and Proprietors of Victoria College, in the City of Saint John :

A Bill to continue the Act to incorporate the Central Fire Insurance Company of New Brunswick, and the several Acts in amendment thereof : and

A Bill to incorporate the Saint Andrews Rural Cemetery Company.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the last entered Bill with an amendment, to which they desire the concurrence of the Assembly ; and

That they had agreed to the three first entered Bills without any amendment.

Pursuant to the Order of the Day, the Bill in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum," was read a third time.

Then the following amendment was moved :—

At A at the end of the Bill, add as follows :—" Provided such child or children are placed under the control of said Society by the written consent of the mother of such child or children ; and provided always, that said Institution shall at all times be open to a full inspection of Commissioners to be appointed by the Executive Government, whenever they may deem it necessary to make such inspection."

The question was then put whether the said Bill and the amendment should pass. Whereupon it was decided in the affirmative.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to repeal the existing Laws relating to the granting of Mill Reserves in this Province :

A

A Bill to authorize the division of the Parish of Sheffield into two Parishes: and
 A Bill to continue an Act intituled "An Act in addition to an Act intituled 'An Act to incorporate the Nashwaak Boom Company.'"

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bills severally into consideration.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to authorize the Directors of the Saint John Seamen's Friend Society, to wind up and close the affairs of the said Society.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

From Thomas Robson, that his invention of a Fog Bell be put into operation: and

From the same, for encouragement to his Fog Bell invention.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Ryan, by leave, presented a Petition from H. A. Scovil, Esquire, and others, for Act to alter division line between Springfield and Studholm.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

MONDAY, 9th March, 1857.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Botsford,
 Mr. Minchin,
 Mr. Hill,
 Mr. Davidson,
 Mr. Wark,
 Mr. Ryan,
 Mr. Todd,
 Mr. Rice,*

*Mr. Kinnear,
 Mr. Hazen,
 Mr. Harrison,
 Mr. Odell,
 Mr. Steeves,
 Mr. Gordon,
 Mr. Seely,
 Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Directors of the Saint John Seamen's Friendly Society, to wind up and close the affairs of the said Society, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill without any amendment.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the division of the Parish of Sheffield into two Parishes.

The Honorable Mr. Steeves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill relating to the Public Burial Grounds in the Parish of Saint Stephen.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made some amendments thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A, Section 1, expunge the word "next," and insert the words "in the year of our Lord one thousand eight hundred and fifty eight."

At B, Section 2, expunge the word "next," and insert the word "aforesaid."

The said amendments being read a second time, and the question of concurrence put thereon, they were agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

A Message was brought from the Assembly by Mr. Botsford, with the following Bills, to which they desire the concurrence of this House :—

A Bill to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways : and

A Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Read, with a Bill further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester ; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. M'Adam, with the following Bills, to which they desire the concurrence of this House :—

A Bill to alter and amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen :"

A Bill to amend an Act intituled "An Act to incorporate the Lacoote Lake River Driving Company:" and

A Bill to incorporate the Saint Stephen Academy.

The said Bills were severally read a first time.

ORDERED, That the two first entered Bills be read a second time to-morrow.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the last entered Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Hazen, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

A copy of the Second Annual Report of the Chief Commissioner of Public Works.

[See Appendix.]

The Honorable Mr. Seely, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of Saint John, for repeal of the Law relating to Wooden Buildings, and for another Act in lieu thereof.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Robinson, by leave, presented a Petition from Joseph Lakeman and James Taylor, for remuneration for relief afforded shipwrecked Seamen.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

TUESDAY, 10th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Rice,*

*Mr. Kinnear,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill relating to the Public Burial Grounds in the Parish of Saint Stephen : and
A Bill to authorize the division of the Parish of Sheffield into two Parishes.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill with certain amendments, to which they desire the concurrence of the Assembly;

Also, that the Legislative Council have agreed to the last entered Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways:

A Bill further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester:

A Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company:"

A Bill to amend an Act intituled "An Act to incorporate the Lacoote Lake River Driving Company:" and

A Bill to alter and amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen."

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bills severally into consideration.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to continue an Act intituled "An Act in addition to an Act intituled 'An Act to incorporate the Nashwaak Boom Company.'"

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal the existing Laws relating to the granting of Mill Reserves in this Province.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. W. E. Perley, that the Assembly had agreed to the amendments sent down from this House to the Bill to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John.

A Message was brought from the Assembly by Mr. Johnson, with a Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Rice, by leave, presented a Petition from George Fields, for pecuniary aid.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

WEDNESDAY, 11th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Todd,
Mr. Robinson.*

*Mr. Kinnear,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Gordon,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act intituled "An Act in addition to an Act intituled 'An Act to incorporate the Nashwaak Boom Company,'" was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill without any amendment.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways.

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester.

The Honorable Mr. Gordon took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend an Act intituled "An Act to incorporate the Lacoote Lake River Driving Company."

The Honorable Mr. Todd took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

The Honorable Mr. Steeves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 2 o'clock.

THURSDAY, 12th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Minckin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Rice,*

*Mr. Kinnear,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Ryan,
Mr. Todd,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to amend an Act intituled "An Act to incorporate the Lacoote Lake River Driving Company :—" and

A Bill further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

The Honorable Mr. Hazen, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

The Blue Book for the year 1856 ; and the following Returns, viz :—

CENTRAL

CENTRAL FIRE INSURANCE COMPANY.

*Return and State of the Central Fire Insurance Company of New Brunswick on
Tuesday 3d March 1857.*

DR. STOCK ACCOUNT.

| | | | | | | | |
|--|---|---|---|---|----------------|----------|----------|
| To Amount of Capital paid in, | - | - | - | - | £10,000 | 0 | 0 |
| Amount of Capital not paid in, to be secured by Bonds with Sureties, | - | - | - | - | 40,000 | 0 | 0 |
| | | | | | <u>£50,000</u> | <u>0</u> | <u>0</u> |

CR.

| | | | | | | | |
|---|---|---|---|---|----------------|----------|----------|
| By Capital paid in, invested in Bank Stock, Real Estate, Mortgages on Real Estate, and Promissory Notes at 12 months, with two endorsers, | - | - | - | - | £10,000 | 0 | 0 |
| Amount due by Shareholders on Capital not paid in, the greater proportion of which is secured by Bonds with two sureties, | - | - | - | - | 40,000 | 0 | 0 |
| | | | | | <u>£50,000</u> | <u>0</u> | <u>0</u> |

General State of the Company on the 3rd March 1857.

DR.

| | | | | | | | |
|--|---|---|---|---|----------------|----------|-----------|
| Paid by the Company since Return last year for Losses, Dividends, Contingent Expenses, &c. | - | - | - | - | £3,287 | 7 | 2½ |
| Due by the Company on Dividends declared, Losses, &c. | - | - | - | - | 747 | 17 | 2 |
| Balance in favor of the Company, carried down, | - | - | - | - | 9,134 | 1 | 8 |
| | | | | | <u>£13,169</u> | <u>6</u> | <u>0½</u> |

CR.

| | | | | | | | |
|---|---|---|---|---|----------------|----------|-----------|
| By Balances in favor of the Company, as shewn by last year's statement, | - | - | - | - | £8,402 | 5 | 0¾ |
| Amount due by the Company, per said statement, for Dividends, Losses, &c. | - | - | - | - | 698 | 16 | 2¾ |
| Amounts received by the Company in Premiums, Interests, Dividends, and from all other sources during the past year, | - | - | - | - | 4,068 | 4 | 9 |
| | | | | | <u>£13,169</u> | <u>6</u> | <u>0½</u> |

| | | | | | | | |
|--|---|---|---|---|--------|---|---|
| 1857. March 3. By Balances in favor of the Company this date over and above Capital paid in, | - | - | - | - | £9,134 | 1 | 8 |
|--|---|---|---|---|--------|---|---|

| | | | | | | |
|--|---|---|---|----------|----|---|
| Total amount of Risks taken by Agents of the Company and General Office during past year, | - | - | - | £180,408 | 6 | 8 |
| Real Estate owned by the Company, | - | - | - | 1,162 | 0 | 0 |
| Total amount of Losses sustained and paid by the Company during past year, | - | - | - | 1,873 | 15 | 0 |
| Two Dividends declared the past year on amount of Capital paid in, of six per cent. each, amounting to | - | - | - | 1,200 | 0 | 0 |

C. MACPHERSON, }
 JOHN S. COY, } *Directors.*
 THOS. STEWART, }

YORK, ss.—William M'Beath, Secretary to the Central Fire Insurance Company of New Brunswick, maketh oath and saith, that the foregoing Statements are correct to the best of his knowledge and belief.

WM. B'BEATH, *Secretary.*

Sworn to, at Fredericton, this 10th day of March 1857,
 before me, ASA COY, J. P.

PORTLAND POLICE.

The Portland Police Establishment in Account Current with the Commissioners.

| 1856. | | DR. | | | | | |
|-------------------------|-----|--|------|------|------|------|-------|
| Jan'y | 2. | Policemen's Wages, and Magistrate, | .... | .... | .... | £56 | 8 4 |
| | | Expenses of Police Office, | .... | .... | .... | 2 | 8 10 |
| Feb'y | 1. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 17 0 |
| | | Expenses of Police Office, | .... | .... | .... | 1 | 18 10 |
| March | 1. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 11 8 |
| | | Expenses of Police Office, | .... | .... | .... | 4 | 2 6 |
| April | 1. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 11 8 |
| | | Expenses of Police Office, | .... | .... | .... | 1 | 18 6 |
| | 4. | Gas Light Company's Bill, 1st Nov. to 1st Feb. | .... | .... | .... | 20 | 12 6 |
| May | 1. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 11 8 |
| | | Expenses of Police Office, | .... | .... | .... | 0 | 19 6 |
| June | 2. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 11 8 |
| | | Expenses of Police Office, | .... | .... | .... | 1 | 0 0 |
| | 3. | Gas Light Company's Bill, 1st Feb. to 1st May, | .... | .... | .... | 20 | 12 6 |
| | 4. | Assessors of Taxes, | .... | .... | .... | 17 | 10 5 |
| July | 1. | Policemen's Wages, and Magistrate, | .... | .... | .... | 61 | 11 8 |
| | | Expenses of Police Office, | .... | .... | .... | 1 | 5 9 |
| | | 7 Uniform Coats for Policemen, | .... | .... | .... | 28 | 0 4 |
| | | H. Chubb & Co. for Stationery, | .... | .... | .... | 7 | 0 4 |
| August | 2. | Police Wages, and Magistrate, | .... | .... | .... | 60 | 14 4 |
| | 30. | Gas Light Company's Bill, 1st May to 1st August, | .... | .... | .... | 20 | 12 6 |
| Sept. | 2. | Police Wages and Magistrate, | .... | .... | .... | 61 | 3 0 |
| | | Expenses of Office, | .... | .... | .... | 1 | 9 5 |
| <i>Carried forward,</i> | | | | | | £677 | 12 11 |

| | | <i>Brought forward,</i> | | | | £677 | 12 | 11 |
|-------|-----|--|------------|------|------|--------------|----------|----------|
| Oct. | 1. | Police Wages, and Magistrate, | .... | .... | .... | 61 | 7 | 4 |
| | | Expenses of Police Office, | .... | .... | .... | 5 | 9 | 4 |
| Nov. | 4. | Police Wages, and Magistrate, | .... | .... | .... | 61 | 11 | 8 |
| | | Expenses of Police Office, | .... | .... | .... | 1 | 1 | 6 |
| | | C. Simonds, Rent of Office, | .... | .... | .... | 18 | 0 | 0 |
| Dec. | 1. | Police Wages, and Magistrate, &c. | .... | .... | .... | 65 | 6 | 2 |
| | 12. | Gas Light Company's Bill, 1st Aug. to 1st Nov. | .... | .... | .... | 20 | 12 | 6 |
| | 31. | Balance to new Account, | .... | .... | .... | 202 | 5 | 0 |
| | | | | | | <u>£1113</u> | <u>6</u> | <u>5</u> |
| 1855. | | CR. | | | | | | |
| Dec. | 31. | Balance in Bank, | .... | .... | .... | £253 | 13 | 3 |
| 1856. | | | | | | | | |
| Jan'y | 2. | Police Fines, &c. | Mr. Payne, | .... | .... | 22 | 4 | 6 |
| Feb'y | 1. | Do. | do. | .... | .... | 14 | 0 | 0 |
| | | Rates collected, | C. Wilson, | .... | .... | 75 | 0 | 0 |
| | 4. | Do. | do. | .... | .... | 84 | 0 | 0 |
| March | 1. | Police Fines, &c. | Mr. Payne, | .... | .... | 11 | 6 | 8 |
| | 25. | Rates collected, | C. Wilson, | .... | .... | 116 | 15 | 8 |
| | | Police Fines, &c. | Mr. Payne, | .... | .... | 32 | 11 | 2 |
| April | 1. | Do. | do. | .... | .... | 7 | 5 | 6 |
| May | 1. | Do. | do. | .... | .... | 10 | 3 | 8 |
| June | 2. | Do. | do. | .... | .... | 20 | 2 | 6 |
| July | 1. | Do. | do. | .... | .... | 40 | 10 | 0 |
| Aug. | 2. | Do. | do. | .... | .... | 20 | 0 | 0 |
| Sept. | 2. | Do. | do. | .... | .... | 20 | 0 | 7 |
| Oct. | 1. | Do. | do. | .... | .... | 50 | 0 | 0 |
| | 2. | Rates collected, | C. Wilson, | .... | .... | 200 | 0 | 0 |
| Nov. | 3. | Police Fines, &c. | Mr. Payne, | .... | .... | 17 | 11 | 7 |
| | 29. | Rates collected, | C. Wilson, | .... | .... | 100 | 0 | 0 |
| Dec. | 1. | Police Fines, | Mr. Payne, | .... | .... | 18 | 1 | 4 |
| | | | | | | <u>£1113</u> | <u>6</u> | <u>5</u> |

We, the undersigned, Commissioners of the Police for the Parish of Portland, do swear that the foregoing Accounts are just and true, to the best of our knowledge and belief.

JOHN DUNCAN,
MOSES TUCK.

Sworn to before me at Saint John, N. B. 10th January 1857.
I. WOODWARD, J. P.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways.

The

The Honorable Mr. Kinnear took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to alter and amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Connell, with a Bill to revive, continue and amend the Act to incorporate the New Brunswick Mining Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Earle, with a Bill relating to the payment of Rates and Taxes in the Parishes of Wickham and Hampton, in Queen's County; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 2 o'clock.

FRIDAY, 13th March 1857.

PRESENT :

THE HON.

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,*

Mr. Black, President.

*Mr. Kinnear,
Mr. Hazen,
Mr. Harrison,
Mr. Odell,
Mr. Ryan,*

Mr

*Mr. Gordon,
Mr. Rice,*

*Mr. Todd,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to alter and amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen :"

A Bill to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways : and

A Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to revive, continue and amend the Act to incorporate the New Brunswick Mining Company : and

A Bill relating to the payment of Rates and Taxes in the Parishes of Wickham and Hampstead, in Queen's County.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. W. E. Perley, with a Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediac Bank ;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

Adjourned until To-morrow at 2 o'clock.

SATURDAY, 14th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Robinson.*

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,
Mr. Ryan,
Mr. Todd,
Mr. Rice.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediac Bank," was read a second time.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive, continue and amend the Act to incorporate the New Brunswick Mining Company.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time on Monday next.

A Message was brought from the Assembly by Mr. Gillmor, that the Assembly had agreed to the amendments sent down from this House to the Bill relating to the Public Burial Grounds in the Parish of Saint Stephen.

A Message was brought from the Assembly by the Honorable Attorney General, with the following Bills, to which they desire the concurrence of this House:—

A Bill to provide for the incorporation of the Synod of the Presbyterian Church of New Brunswick: and

A Bill for the Election of Members to serve in the General Assembly.

The said Bills were severally read a first time.

ORDERED, That the last entered Bill be read a second time on Monday next.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the first entered Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Rice, by leave, presented a Petition from Samuel H. Shaw, for aid to a School.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 2 o'clock.

MONDAY, 16th March, 1857.

PRESENT:

THE HON.

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,
Mr. Ryan,
Mr. Todd,
Mr. Robinson.*

Mr. Black, President.

*Mr. Chandler,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Rice,*

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill to revive, continue and amend the Act to incorporate the New Brunswick Mining Company, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill without any amendment.

Pursuant to the Order of the Day, the Bill for the Election of Members to serve in the General Assembly, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bill into consideration.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill relating to the payment of Rates and Taxes in the Parishes of Wickham and Hampstead, in Queen's County.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof should be postponed for three months.

ORDERED, That the Report be received; whereupon

RESOLVED, That the further consideration of said Bill be postponed for three months.

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House, Copies of the final Report of the Commissioners appointed to ascertain, define and mark out the Boundary Line between this Province and Canada, with a tracing of the General Map accompanying their Report; also any Despatches from the Right Honorable the Colonial Secretary on the subject; together with copies of the several Reports of the Commissioners appointed to enquire into the Disputed Territory Fund, and to adjust the respective claims thereon.

ORDERED, That the Honorable Messieurs Davidson and Todd be a Committee to wait upon His Excellency with the said Address.

The Honorable Mr. Wark, by leave, presented a Petition from J. W. Weldon and others, for Act authorizing the appointment of a Stipendiary Magistrate in the County of Kent.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 2 o'clock.

TUESDAY, 17th March, 1857.

PRESENT:

THE HON.

*Mr. Saunders,
Mr. Chandler,*

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,*

Mr

Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Hamilton,
Mr. Todd,
Mr. Robinson.

Mr. Harrison,
Mr. Odell,
Mr. Ryan,
Mr. Gordon,
Mr. Rice,

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for the Election of Members to serve in the General Assembly.

The Honorable Mr. Gordon took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Return:—

GLOBE ASSURANCE COMPANY.

Statement of the Affairs of the Globe Assurance Company on the 31st December 1856.

| | | | |
|--|----------------|----------|----------|
| Capital Stock, secured by Bonds of Stockholders with sureties, | £24,000 | 0 | 0 |
| Capital Stock paid in, and invested in Mortgages and City and County Bonds, | 6,000 | 0 | 0 |
| | <u>£30,000</u> | <u>0</u> | <u>0</u> |

Amount of Risks underwritten from 31st Dec. 1855, to 31st Dec. 1856; £418,485 0 0

| | | | |
|--|----------------|----------|-----------|
| Amount of Premiums for same, | £13,392 | 1 | 9 |
| Premium Notes, Book Debts, and Cash on hand 31st Dec. 1855, | 9,435 | 7 | 1 |
| Balance of Interest Account, | 398 | 11 | 6 |
| Amount received on Account of Capital Stock, namely— | | | |
| For Bank Stock, | £800 | 0 | 0 |
| On Account of Bonds and Mortgages, | 200 | 0 | 0 |
| Profit on Bank Stock sold, | 25 | 9 | 6 |
| | <u>£24,251</u> | <u>9</u> | <u>10</u> |

| | | | |
|---|---------------|-----------|----------|
| Losses paid from 31st Dec. 1855 to 31st Dec. 1856, £12,378 12 8 | | | |
| Return Premiums for same time, | 268 | 8 | 6 |
| Expenses of the Company, ditto, | 304 | 2 | 10 |
| Paid unclaimed Dividend, | 20 | 0 | 0 |
| Paid on Account of claims for Losses, | 6,196 | 15 | 0 |
| | <u>19,167</u> | <u>19</u> | <u>0</u> |

Carried forward, £5,083 10 10

| | | | | | | |
|-----------------|------|------|------|------|-------------------------|--------------|
| | | | | | <i>Brought forward,</i> | £5,083 10 10 |
| Cash on hand, | .... | .... | .... | .... | £606 5 10 | |
| Premium Notes, | .... | .... | .... | .... | 4,182 7 6 | |
| Book Debts, | .... | .... | .... | .... | 294 17 6 | |
| | | | | | <hr/> | £5,083 10 10 |
| Amount at Risk, | .. | .... | .... | .... | .... | £56,000 0 0 |

I. L. BEDELL, *Secretary.**Saint John, N. B., 31st December 1856.**List of Stockholders of the Globe Assurance Company on the 31st December 1856.*

| | | | | | | | |
|-----------------------------|------|------|------|--------------------------------|------|-------|----|
| Armstrong, Robert | .... | .... | 10 | Reed, Thomas | .... | .... | 10 |
| Armstrong, John | .... | .... | 15 | Ruddock, William | .... | .... | 10 |
| Brundage, William | .... | .... | 6 | Robinson, James | .... | .... | 10 |
| Bedell, George | .... | .... | 10 | Robinson, Thomas | .... | .... | 10 |
| Carvill, George | .... | .... | 21 | Ruddock, Joseph | .... | .... | 15 |
| Chubb, Henry | .... | .... | 20 | Robertson, John | .... | .... | 20 |
| Crozier, Thomas | .... | .... | 10 | Robertson, Robert | .... | .... | 30 |
| Carvill, William | .... | .... | 25 | Rodger, John, | .... | .... | 10 |
| Cameron, D. A. | .... | .... | 5 | Sutherland, George | .... | .... | 5 |
| Duncan, John | .... | .... | 40 | Sancton, Henry | .... | .... | 2 |
| Foster, Stephen K. | .... | .... | 10 | Sancton, W. B. | .... | .... | 2 |
| Fairweather, Joseph | .... | .... | 53 | Street, J. Ambrose | .... | .... | 8 |
| Fisher, Charles | .... | .... | 8 | Simonds, Charles | .... | .... | 25 |
| Hippisley, Edward | .... | .... | 30 | Smith, William F. | .... | .... | 10 |
| Haws, John | .... | .... | 55 | Smith, James | .... | .... | 50 |
| Hazen, Robert L. | .... | .... | 20 | Smith, James T. | .... | .... | 10 |
| Jaffrey, William | .... | .... | 2 | Sears, Edward | .... | .... | 8 |
| Jardine, Robert | .... | .... | 25 | Seamen's Friend Society, | .... | .... | 20 |
| Kerr, George | .... | .... | 8 | Tuck, Moses | .... | .... | 25 |
| Kirk, John | .... | .... | 20 | Travis, James, | .... | .... | 25 |
| Lovett, George L. | .... | .... | 20 | Vaughan, Henry | .... | .... | 23 |
| Leavitt, William | .... | .... | 20 | Vaughan, David | .... | .... | 10 |
| M'Lean, George | .... | .... | 25 | Vaughan, Thomas | .... | .... | 27 |
| Merritt, Charles | .... | .... | 25 | Vaughan, Simon | .... | .... | 10 |
| Merritt, Nehemiah | .... | .... | 25 | Wallace, Thomas | .... | .... | 25 |
| M'Lean, Allan | .... | .... | 10 | Wright, William, Esq., | .... | .... | 30 |
| M'Laughlin, D. J. | .... | .... | 62 | Wishart, John | .... | .... | 50 |
| Moran, James | .... | .... | 20 | Weldon, John W. | .... | .... | 10 |
| N. B. Marine Assurance Co., | .... | .... | 20 | Wiggins, Stephen | .... | .... | 40 |
| Owens, John | .... | .... | 20 | Wright, William, Ship Builder, | .... | .... | 20 |
| Olive, Isaac | .... | .... | 10 | | | | |
| Shares, | .... | .... | .... |  |  | 1,200 | |

I. L. Bedell, Secretary to the Globe Assurance Company, maketh oath and saith, that the annexed Return, exhibiting the transactions of the Company for one year ending the 31st December last,—the

losses sustained during the same period,—the amount of the Capital Stock,—the amount paid up, and the residue, with the manner in which the same is invested and secured to the Company, and the amount of other Assets, with the names of the Stockholders, is a just and true statement of the affairs of the Company, as they stood on the 31st day of December last past; and this deponent further saith, that no Dividends have been declared during the year before mentioned.

Sworn before me at Saint John, this 13th day of March 1857,
MOSES VERNON, J. P.

I L. BEDELL.

The undersigned Directors of the Globe Assurance Company, do hereby severally make oath, that the annexed Return of the affairs of the Company,—the investment of the paid up Capital, and the manner in which the residue is secured to the Company,—the losses sustained, and the amount of other Assets held by the Company, with the names of the Stockholders, as made up and attested by the Secretary, is substantially correct; that the Books of the Company indicate the facts there set forth, and that we have entire confidence in the truth of the said Return.

W. LEAVITT,
JOHN DUNCAN,
GEO. M'LEAN,
GEO. I. LOVETT.

Sworn before me at Saint John, this 13th day of March 1857,
MOSES VERNON, J. P.

A Message was brought from the Assembly by Mr. Boyd, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint Andrews Rural Cemetery Company.

A Message was brought from the Assembly by Mr. Fisher, with the following Bills, to which they desire the concurrence of this House:—

A Bill to authorize the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Queensbury, in the County of York, to sell and convey a certain tract of Glebe Land situate in the said Parish, and invest the proceeds in other Lands: and

A Bill relating to the Office of Registrar of Deeds and Wills in the several Counties of this Province.

The said Bills were severally read a first time.

ORDERED, That the said Bills be severally read a second time to-morrow.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined "A Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland;" also, "A Bill to incorporate the Saint Stephens Academy;" and recommend the said Bills to the adoption of the House without amendment.

Respectfully submitted.

Committee Room, March 17, 1857.

A. E. BOTSFORD, Chairman.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 18th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chundler,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,
Mr. Hamillon,
Mr. Todd,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to authorize the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Queensbury, in the County of York, to sell and convey a certain tract of Glebe Land situate in the said Parish, and invest the proceeds in other Lands : and

A Bill relating to the Office of Registrar of Deeds and Wills in the several Counties of this Province.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bills severally into consideration.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediak Bank."

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Saint Stephens Academy, together with the Report of the Select Committee thereon.

The Honorable Mr. Todd took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A in Section 1, insert the words "and successors."

The

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time tomorrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland, together with the Report of the Select Committee thereon.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for the Election of Members to serve in the General Assembly.

The Honorable Mr. Gordon took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

And the Chairman further reported, that it was moved and seconded that the following amendment be made in lieu of the second Section of the Bill:—

“ In all Parishes within the Province for which the Revisors' Lists were not transmitted to the Clerk of the Peace on or before the seventh day of January last, the Assessors shall make up and deliver their Lists to the Revisors on or before the first day of May instead of the first day of August, as required by the third Section of an Act to regulate the Election of Members to serve in the General Assembly.

“ The Revisors shall prepare and post up the Lists and Notices prescribed by the fourth Section of said Act on or before the eleventh day of May instead of the first day of September, and shall insert in such Notice the eighth day of June instead of the twenty fifth day of October as the time for revising the Lists, and the twentieth day of May instead of the first day of October as the time when persons wishing to add to or strike off names from the List shall give notice thereof.

“ The Revisors shall on or before the first day of June instead of the tenth day of October, post up the Lists and Notices prescribed in the fifth Section of the said Act, and shall appoint in such Notices the eighth day of June instead of the twenty fifth day of October for adjudicating on the propriety of adding to or striking off names from such Lists.

“ The notice required to be given by the sixth Section of the said Act shall be given on the twentieth day of May instead of the first day of October.

“ The Revisors shall meet and correct their Lists as prescribed by the seventh Section of the said Act, on the eighth day of June instead of the twenty fifth day of October, and shall transmit their Lists to the Clerk of the Peace on the fifteenth day of June instead of the tenth day of November, as required by the said Section.

“ The

“The Sheriff and Clerk of the Peace shall on or before the seventeenth day of June instead of the tenth day of December, perform the several duties prescribed in the eleventh Section of the said Act.

“The Sheriff shall sign the List on the twenty fourth day of June instead of the twenty fourth day of December; and the Clerk of the Peace shall send copies thereof to the Town Clerks on or before the thirtieth day of June instead of the thirtieth day of December as required by the twelfth Section of the said Act.”

And upon the question whether the said amendment do pass, it was passed in the negative.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by the Honorable Solicitor General, with a Bill for the payment of costs in proceedings instituted on behalf of the Crown in matters relating to the Revenue, and for the amendment of the practice in the Court of Exchequer; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to disqualify persons holding certain offices under Government from being elected or capable to hold seats in the Assembly; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Davidson, from the Committee appointed to wait upon His Excellency with the Address of this House in reference to the Boundary Survey, reported that they had attended to that duty, and that His Excellency was pleased to say he would comply with the wishes of the Legislative Council.

The Honorable Mr. Seely, by leave, presented a Petition from F. A. Wiggins, Esquire, and others, against any alteration in the Building Acts of Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented a Petition from Trustees of Presbyterian Church, Saint John, against alteration of their Charter.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 19th March, 1857.

PRESENT:

THE HON.

*Mr. Saunders,
Mr. Chandler,
Mr. Hill,
Mr. Davidson,*

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,*

*Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

*Mr. Hamilton,
Mr. Todd,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill for the Election of Members to serve in the General Assembly : and
A Bill to incorporate the Saint Stephens Academy.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment; and

That they had agreed to the last entered Bill with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to disqualify persons holding certain offices under Government from being elected or capable to hold seats in the Assembly : and

A Bill for the payment of costs in proceedings instituted on behalf of the Crown in matters relating to the Revenue, and for the amendment of the practice in the Court of Exchequer.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Queensbury, in the County of York, to sell and convey a certain tract of Glebe Land situate in the said Parish, and invest the proceeds in other Lands.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Office of Registrar of Deeds and Wills in the several Counties of this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 20th March 1857.

PRESENT :

THE HON.

*Mr. Saunders,
Mr. Chandler,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

Mr. Black, President.

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,
Mr. Hamilton,
Mr. Todd,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Queensbury, in the County of York, to sell and convey a certain tract of Glebe Land situate in the said Parish, and invest the proceeds in other Lands, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill without any amendment.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill relating to the Office of Registrar of Deeds and Wills in the several Counties of this Province.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made some amendments thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A in Section 1, expunge the words "and Wills," and insert "or Registrar of Probates."

At B insert the words "provided that nothing in this Act shall extend or apply to any Registrar of Deeds or Registrar of Probates who may at the time of the passing of this Act hold either of the said offices and be a practising Attorney of any of the Courts of Judicature in this Province."

The said amendments being read a second time, and the question of concurrence put thereon, they were agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediac Bank."

The

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At the end of Section 1 insert as follows:—“ Provided that in all other respects the provisions of the said Act, in regard to the said payments, shall be complied with.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill, as amended, read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland, together with the Report of the Select Committee thereon.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to disqualify persons holding certain offices under Government from being elected or capable to hold seats in the Assembly.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and they were again read by the Clerk, as follows:—

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council, copies of the following Despatches, respecting the Militia Force and the general defences of the Province.

J. H. T. M-S.

Government House, March 19th, 1857.

[See Appendix.]

J. H. T.

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council, copies of Documents with respect to the maintenance of Colonial Lights, in continuation of Documents, on the same subject, which were laid before the Legislative Council on the 11th April, 1856.

J. H. T. M-S.

Government House, March 19th, 1857.

[*See Appendix.*]

A Message was brought from the Assembly by Mr. M'Adam, that the Assembly had agreed to the amendment sent down from this House to the Bill to incorporate the Saint Stephens Academy.

A Message was brought from the Assembly by Mr. Harding, with the following Bills, to which they desire the concurrence of this House:—

A Bill to repeal certain Acts for the more effectual prevention of Fires in the City of Saint John, and make provisions in lieu thereof: and

A Bill to incorporate the New Brunswick Steam Navigation Company.

The said Bills were severally read a first time.

ORDERED, That the first entered Bill be read a second time to-morrow.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the last entered Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by the Honorable Attorney General, with a Bill to incorporate the President, Directors and Company of the Provincial Hospital; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

The Honorable Mr. Botsford, by leave, presented a Petition from W. H. Scovil and others, for Act of Incorporation to Saint Martins Mining and Manufacturing Company.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Seely, by leave, presented a Petition from W. H. Scovil and others, for Act of Incorporation for New Brunswick Steam Navigation Company.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Robinson, by leave, presented a Petition from Daniel M'Laughlin, for remuneration for services as Overseer of Fisheries.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

SATURDAY, 21st March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Hamillon,
Mr. Todd,
Mr. Rice,*

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediak Bank, as amended, was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the Bill relating to the Office of Registrar of Deeds and Wills in the several Counties of this Province, as amended, was read a third time.

Then the following additional amendment was moved :—

At C in the Title, expunge the words "Office of Registrar of Deeds and Wills," and insert the words "Offices of Registrar of Deeds and Registrar of Probates."

The question was then put whether the said Bill and the amendments should pass. Whereupon it was decided in the affirmative.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bill with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to repeal certain Acts for the more effectual prevention of Fires in the City of Saint John, and make provisions in lieu thereof, was read a second time.

ORDERED, That the House be put into Committee of the whole on Monday next, to take the said Bill into consideration.

The Honorable Mr. Saunders, by leave, presented a Petition from the Trustees of Victoria College, for an amendment of its Incorporation Act.

ORDERED, That the same be received and lie on the Table.

Adjourned until Monday next at 2 o'clock.

MONDAY

MONDAY, 23rd March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Hamilton,
Mr. Todd,
Mr. Rice.*

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Gordon,
Mr. Seely,*

PRAYERS.

On motion—

The House was put into Committee of the whole to take into consideration the Bill for the payment of costs in proceedings instituted on behalf of the Crown in matters relating to the Revenue, and for the amendment of the practice in the Court of Exchequer.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined "A Bill to incorporate the President, Directors and Company of the Provincial Hospital;" also, "A Bill to incorporate the New Brunswick Steam Navigation Company;" and recommend the said Bills to the favorable consideration of the House.

Respectfully submitted.

Committee Room, March 21, 1857.

A. E. BOTSFORD, *Chairman.*

ORDERED

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration.

A Message was brought from the Assembly by the Honorable Attorney General, with a Bill relating to Railways in this Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Peters, by leave, presented a Petition from David Lynch, for aid to a School.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Rice, by leave, presented a Petition from J. Woodward and others, for repeal of Acts relating to Wooden Buildings in Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented the following Petitions:—

From Mary Liddall, for aid to a School:

From Elizabeth O'Connor, with similar prayer: and

From Angus M'Intosh, for pecuniary aid.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

TUESDAY, 24th March, 1857.

PRESENT:

THE HON.

Mr. Black, President.

Mr. Saunders,

Mr. Chandler,

Mr. Peters,

Mr. Harrison,

Mr. Odell,

Mr. Steeves,

Mr. Hamilton,

Mr. Todd,

Mr. Rice.

Mr. Botsford,

Mr. Minchin,

Mr. Hill,

Mr. Davidson,

Mr. Wark,

Mr. Ryan,

Mr. Gordon,

Mr. Seely,

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill for the payment of costs in proceedings instituted on behalf of the Crown in matters relating to the Revenue, and for the amendment of the practice in the Court of Exchequer: and

A Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank, in the County of Northumberland.

ORDERED

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

Pursuant to the Order of the Day, the Bill relating to Railways in this Province, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the New Brunswick Steam Navigation Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the President, Directors and Company of the Provincial Hospital, together with the Report of the Select Committee thereon.

The Honorable Mr. Gordon took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal the existing Laws relating to the granting of Mill Reserves in this Province.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

ORDERED, That the House be put into Committee of the whole on Thursday next, to take into consideration the Bill to disqualify persons holding certain offices under Government from being elected or capable to hold seats in the Assembly.

A Message was brought from the Assembly by Mr. W. E. Perley, with a Bill to alter and amend an Act intituled "An Act to authorize the construction of Railways in this Province;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

ORDERED, That the House be called over on Thursday next.

The Honorable Mr. Seely, by leave, presented a Petition from the President and Directors of Saint John Suspension Bridge Company, for amendment of their Act of Incorporation.

ORDERED, That the same be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 25th March, 1857.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Peters,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Hamilton,
Mr. Todd,
Mr. Rice.*

*Mr. Botsford,
Mr. Minchin,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Gordon,
Mr. Seely,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to repeal the existing Laws relating to the granting of Mill Reserves in this Province :

A Bill to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish : and

A Bill to incorporate the New Brunswick Steam Navigation Company.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

Pursuant

Pursuant to the Order of the Day, the Bill to alter and amend an Act intituled "An Act to authorize the construction of Railways in this Province," was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to Railways in this Province.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

On motion—

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the Bill to alter and amend an Act intituled "An Act to authorize the construction of Railways in this Province," and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Lawrence, that the Assembly had agreed to the amendments sent down from this House to the following Bills:—

A Bill in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum:" and

A Bill to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of The President, Directors and Company of the Shediac Bank."

A Message was brought from the Assembly by Mr. Read, with a Bill to continue an Act intituled "An Act to prevent the spread of a disorder now existing in certain parts of the Counties of Gloucester and Northumberland;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received and the Bill read a third time to-morrow.

A Message was brought from the Assembly by Mr. Scovil, with a Bill to alter the division line between the Parishes of Springfield and Studholm, in King's County; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined "A Bill to incorporate the Middle Bridge Company at Saint Stephen." By the third Section of this Bill a toll is granted for the benefit of the said Corporation on wheeled Cars, among other vehicles. The Committee are not possessed of sufficient information to enable them to decide whether the Railway which crosses the said Bridge should be subject to such toll or not, and therefore beg to refer this provision of the said Bill for the consideration of the House.

Respectfully submitted.

Committee Room, March 25, 1857.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the House be put into Committee of the whole to-morrow to take the said Bill, together with the Report of the Select Committee thereon, into consideration.

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 26th March, 1857.

PRESENT:

THE HON.

Mr. Black, President.

*Mr. Saunders,
Mr. Chandler,
Mr. Hill,
Mr. Davidson,
Mr. Wark,
Mr. Ryan,
Mr. Gordon,
Mr. Seely,
Mr. Robinson.*

*Mr. Botsford,
Mr. Minchin,
Mr. Harrison,
Mr. Odell,
Mr. Steeves,
Mr. Hamilton,
Mr. Todd,
Mr. Rice,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill to alter and amend an Act intituled "An Act to authorize the construction of Railways in this Province:"

A Bill relating to Railways in this Province: and

A Bill to continue an Act intituled "An Act to prevent the spread of a disorder now existing in certain parts of the Counties of Gloucester and Northumberland."

ORDERED

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Bills without any amendment.

Pursuant to the Order of the Day, the Bill to alter the division line between the Parishes of Springfield and Studholm, in King's County, was read a second time.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Lawrence, with a Bill to continue and amend an Act intituled "An Act to establish a Board of Health in the City and County of Saint John;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Hatheway, with a Bill relating to the Lower Flat of the County Court House in the County of York; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Watters, with a Bill in addition to an Act intituled "An Act to incorporate the Saint John Suspension Bridge Company;" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the same be read a second time presently.

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Seely took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House without any amendment.

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That Mr. Dibblee do go down to the Assembly and acquaint that House thereof.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Chandler, a Member of Her Majesty's Executive Council.

The Honorable the President read the same; and it was again read by the Clerk, as follows:—

J. H. T. MANNERS-SUTTON.

His Excellency the Lieutenant Governor lays before the Legislative Council, in compliance with their Address of the 16th March, copies of the following Documents, viz:—

1. Report of the Commissioners appointed to ascertain, define and mark out the Boundary Line between this Province and Canada, together with a tracing of the General Map accompanying the Report.

2. Correspondence with the Secretary of State on the same subject.

3. First Report of the Commissioners (Messieurs Cutler and Dawson) appointed to enquire into the Disputed Territory Fund, and to adjust the respective claims thereon.

4. Second Report of the Commissioners (Messieurs Harding and Dawson) on the same subject.

J. H. T. M-S.

Government House, March, 1857.

[*See Appendix.*]

The House adjourned during pleasure.

After some time the House resumed.

At one o'clock His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod,

Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act to alter and amend Chapter 22, Title iii, of the Revised Statutes, "Of Sick and Disabled Seamen:"

An Act for the election of Members to serve in the General Assembly:

An Act relating to Railways in this Province:

An Act to alter and amend an Act intituled "An Act to authorize the construction of Railways in this Province:"

An Act to alter the time of holding the Circuit Court in the County of Charlotte:

An Act for the payment of costs in proceedings instituted on behalf of the Crown in matters relating to the Revenue, and for the amendment of the Practice in the Court of Exchequer:

An Act to repeal the existing Laws relating to the granting of Mill Reserves in this Province:

An Act to repeal an Act to provide for the more effectually repairing the Roads and Bridges in the Parishes of Campo Bello and Grand Manan, so far as it relates to the Parish of Grand Manan:

An Act to erect the eastern part of the Parish of Pennfield, in the County of Charlotte, into a separate Town or Parish:

An Act to amend an Act to divide the Parish of Carleton, in the County of Kent, into two Parishes:

An Act to authorize the division of the Parish of Sheffield into two Parishes:

An Act to regulate the Road Tax of Non-Residents on Property situate on Islands in the River Saint John:

An Act further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester:

An Act to continue an Act intituled "An Act to prevent the spread of a disorder now existing in certain parts of the Counties of Gloucester and Northumberland:"

An Act to make certain Streets in the Parish of Portland, in the County of Saint John, Public Highways:

An Act to continue and amend an Act intituled "An Act to establish a Board of Health in the City and County of Saint John:"

An Act relating to the Lower Flat of the County Court House in the County of York:

An Act to authorize the Rector, Church Wardens and Vestry of All Saints' Church, in the Parish of Saint Andrews, in the County of Charlotte, to sell and convey the Glebe and Church Lands in the said Parish, and reinvest the proceeds in other Lands or securities:

An Act to authorize the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Queensbury, in the County of York, to sell and convey a certain Tract of Glebe Land situate in the said Parish, and to invest the proceeds in other Lands:

An Act to empower the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Hampton, in King's County, to sell and convey certain Lands in the Parishes of Hampton and Upham, and invest the proceeds in securities for the benefit of the Clergy and Parish:

An

- An Act relating to the Public Burial Grounds in the Parish of Saint Stephen :
- An Act to authorize the Directors of the Saint John Seamen's Friend Society to wind up and close the affairs of the said Society :
- An Act to incorporate the Saint John Harmonic Society :
- An Act to incorporate the Hillsborough Mills and Manufacturing Company :
- An Act to incorporate the Chatham Gas Light Company :
- An Act to incorporate the Saint Andrews Rural Cemetery Company :
- An Act to incorporate the Saint Stephens Academy :
- An Act to incorporate sundry persons by the name of the President, Directors and Company of the Miramichi Bank, in the County of Northumberland :
- An Act to incorporate the New Brunswick Steam Navigation Company :
- An Act to incorporate the First Universalist Society at Milltown in the Parish of Saint Stephen :
- An Act to continue the several Acts relating to the Maduxnikik Boom Company :
- An Act to continue the Act to incorporate the Central Fire Insurance Company of New Brunswick, and the several Acts in amendment thereof :
- An Act to continue an Act intituled "An Act in addition to an Act intituled 'An Act to incorporate the Nashwaak Boom Company :'"
- An Act to revive, continue and amend the Act to incorporate the New Brunswick Mining Company :
- An Act to amend the Act to incorporate the President, Trustees and Proprietors of Victoria College, in the City of Saint John :
- An Act to amend an Act intituled "An Act to incorporate the Lacoote Lake River Driving Company :"
- An Act in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company :"
- An Act to alter and amend the second Section of an Act intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Shediac Bank :"
- An Act in amendment of an Act intituled "An Act to incorporate the Saint John Protestant Orphan Asylum :"
- An Act in addition to an Act intituled "An Act to incorporate the Saint John Suspension Bridge Company."

His Excellency was then pleased to deliver the following Speech :—

" Mr. President, and Honorable Gentlemen of the Legislative Council,

" Mr. Speaker, and Gentlemen of the House of Assembly,

" I have readily given my assent to the Bills which you have passed.

" On a full consideration of the present state of Public affairs, I have come to the determination of proroguing this Assembly, with a view to its immediate dissolution.

" I entertain the hope that the progress of Public business will be facilitated by the authority of a new Assembly."

After which, the Honorable the President, by His Excellency's command, declared the General Assembly prorogued until the first Tuesday in June next.

G. BOTSFORD, *Clerk.*

APPENDIX.

No. 1.

[See Journal 4th March 1857, page 48.]

A BILL RELATING TO KING'S COLLEGE.

WHEREAS, &c. &c. &c.

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That so much of the Charter for the incorporation of the Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New Brunswick, under Letters Patent bearing date the 15th day of December in the eighth year of the Reign of His late Majesty King George the Fourth, as is inconsistent with the provisions of this Act; and also an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled "An Act to amend the Charter of King's College," be and the same are hereby repealed.

2. There shall be an University which shall be a body corporate, by the name and style of "The University of New Brunswick," and shall have a Common Seal, with power from time to time to alter, renew and change the same as may be found convenient, and that by the same name the said University and their successors from time to time and at all times hereafter, shall be able and capable to have, take and receive, purchase, acquire, hold, possess, enjoy, and maintain, to and for the use of the said University, any messuages, lands, tenements, and hereditaments, of what nature, kind or quantity soever, and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess, and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever; and the said University and their successors by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any Courts of Record, in all and singular actions, causes, pleas, suits, matters, and demands whatsoever, in as large, ample and beneficial a manner and form as any other body politic and corporate, or any other person able and capable in law may or can sue, implead, or answer, or be sued, impleaded or answered in any manner whatsoever.

3. All the real and personal estate, rights, easements, privileges, and immunities of every nature or kind whatsoever, now vested in or belonging to "The Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New Brunswick," shall be and they are hereby vested in the University of New Brunswick; and all leases and contracts whatsoever made by the Chancellor, President and Scholars of King's College, shall be dealt with in all respects as if the same had been made by the University of New Brunswick; and all rents due or to grow due thereon, shall be

henceforth payable to and recoverable by the University of New Brunswick; and all covenants, contracts or agreements made or entered into by the said Chancellor, President and Scholars of King's College, shall be deemed and taken in all Courts of law and equity to have been made and entered into by the University of New Brunswick.

4. The Corporation shall consist of six persons to be appointed by the Lieutenant Governor in Council, and of the President of the College, who shall be a layman, to be selected by the persons so appointed, or a majority of them, subject to the approbation of the Visitor; and such Corporation shall at all times be composed of laymen, and three, including the President, shall be a quorum for the transaction of business.

5. The Members of the Corporation shall constitute the Senate of the University; and if any Member of the Corporation shall refuse to act, or shall neglect to attend the meetings thereof for the space of twelve months, his place shall be vacated, and another person appointed in his stead.

6. The Lieutenant Governor of the Province shall be the Visitor of the University on behalf of Her Majesty, and such Visitorial powers may be exercised by Commission under the Great Seal of the Province.

7. There shall be no Professorship of Theology in the University, nor shall any religious test whatever be required of or imposed upon any Member of the Corporation, Professor, Teacher, Student, or other person in any way connected with King's College or with the Collegiate School.

8. The Senate shall possess and exercise all the powers necessary for the management and government of the University, and for carrying into effect all laws relative thereto. Particularly it shall be the duty of the Senate, and they shall have full power and authority—

I. By notice in writing, signed by any two of their number, to call a Meeting of the Corporation.

II. To elect a Chairman in the absence of the President, and to appoint the times of meeting and the modes of proceeding.

III. To possess and direct the endowment of King's College; to order the sale and leasing of all lands belonging to the said College, and the investment and expenditure of all moneys arising therefrom, and of all moneys which have heretofore been or may hereafter be granted for the support of King's College and the Collegiate School at Fredericton; and to erect such Lecture Halls, School Houses, and other buildings as they may deem necessary.

IV. To make and alter from time to time any Statutes, Rules and Ordinances which may be deemed necessary for the government and discipline of King's College and the Collegiate School; provided that all the statutes, rules and ordinances now in force according to law in the said College and School, shall continue in force, except so far as they may be inconsistent with the spirit and provisions of this Act, until repealed or altered by the Senate; and further provided, that all statutes, rules and ordinances hereafter made and passed, may be disallowed by the Visitor within days after the same are laid before him.

V. To appoint and remove from time to time the President of the University, the Professors, Tutors, Lecturers, and Instructors, and all other officers and servants of King's College, and the Masters, Teachers, and servants of the Collegiate School, and to prescribe their duties and fix their remuneration; provided that all appointments

in

in the said College and School shall remain until revoked or altered under the provisions of this Act.

VI. To confer Degrees in Arts, Law, and Medicine, to-wit, the several Degrees of Bachelor of Arts, Master of Arts, Bachelor of Science, Bachelor of Laws, Doctor of Laws, Bachelor of Medicine, and Doctor of Medicine, and Diplomas in Civil Engineering and Land Surveying, Agriculture, Commerce and Navigation, and such Honorary Degrees and Certificates of honor, merit, and attendance at Lectures, as the Senate may adjudge expedient and proper.

9. It shall be the duty of the President of the University—

I. To reside in the College, and to see that all the statutes, rules and ordinances relating to the College and the Collegiate School are duly enforced, and to rectify any deviation therefrom, and at all times to exercise a parental care and supervision over the students resident in the College.

II. To see that comfortable boarding and lodging are provided for such students as may require the same.

III. To preside at all meetings of the Senate, when present, and to call a special meeting at such time as he may think necessary, by giving at least days notice thereof to each Member of the Senate.

IV. To visit from time to time the Classes and other College departments, and to give such directions and perform such acts generally as shall in his judgment be necessary for the interest of the College, so that they do not contravene this Act, nor the statutes, rules, and ordinances, nor the decisions of the Senate.

V. To preside at all examinations, and at all meetings of the College Board, when practicable, and to sign all diplomas for degrees, and other diplomas and certificates of honor.

VI. To report to the Senate as occasion may require, concerning the state and discipline of the College, and to prepare and lay before the Senate for consideration, such regulations touching the discipline and government of the College and Collegiate School as he may deem advisable for their future prosperity.

VII. To grant leave of absence from the College for reasonable cause, and for such length of time as he shall judge the occasion may require.

VIII. To have charge of the buildings and grounds of the College and Collegiate School, and to see that they are kept in good order and repair.

IX. To attend to the making and giving of Leases and Deeds of Lands, and the collecting of rents and other moneys due and owing to the University and College.

X. To prepare a full and particular Report annually of the educational state of the College and School, according to such form as may be prescribed by the Senate.

XI. The senior Professor, in the absence of the President, shall have the same authority to command obedience and to enforce the discipline of the College as the President.

10. There shall be a College Board, to consist of the President and Professors, which shall have power—

To try offences committed by the students ;

To determine the relative standing of students ;

To adjudge rewards and punishments ;

and the concurrence of the President shall be necessary to every act of the Board.

11. In the absence of the President the senior Professor present shall preside at the meeting of the Board, and no acts of the Board thus constituted shall be valid until approved of by the President.

12. The Board shall meet on _____ in every week during Term in the College Library, for the purpose of administering the general discipline of the College, and at such stated meetings the Professors shall report respecting the conduct and proficiency of the students, noting particularly those who have been delinquent in their behaviour or attendance, or deficient or negligent in their preparation or duties.

13. The Board shall keep a Book of Minutes of their proceedings, and there shall be noted therein at every meeting the names of Members present or absent, and such book shall be laid before the Senate at all general or special meetings.

14. Every candidate for matriculation is required to produce at the time of his examination, a written statement from his parents or guardians, or other person having charge of his education, setting forth the name of some Minister of religion in or near Fredericton, under whose religious instruction he is to be placed. And in order to the keeping and allowance of any Term, every student must produce a certificate from his religious instructor, for the time being, that he has regularly attended Divine service on Sundays during such Term, unless prevented from unavoidable circumstances, and that he has made satisfactory progress during the Term in such branches of religious instruction as shall have been specified by his parent or guardian, or other person having charge of his education.

15. Portions of the Holy Scriptures shall be read by the President or one of the Professors daily in the College, and Morning and Evening Prayers offered according to the Form in the Schedule of this Act, and at such times as shall be appointed for that purpose; and all resident students shall be required to attend such Scripture readings and Prayers, except those whose parents or guardians, or other person having charge of his or their education, may have signified to the contrary in writing to the President.

16. In order to extend the benefits of establishments already instituted, or which may be hereafter instituted in this Province for the promotion of the study of Literature, Science, Art, Law, or Medicine, whether incorporated or not, by connecting them for such purpose with the University, all persons shall be admitted as candidates for the respective degrees and diplomas mentioned in the _____ Section of this Act to be conferred by the University, on satisfying the Members of the Senate, by proper certificates, that such persons have in any of the said institutions gone through such course of instruction as the Senate shall from time to time determine, or as may be prescribed by this Act; and the institutions in which such course of instruction may be completed, shall be such institutions as now are or shall hereafter be established for the promotion of education within this Province, which the Lieutenant Governor in Council shall from time to time designate to the Senate.

17. Any person may on application to the President, and on payment of the fees required, and observance of the regulations prescribed, be admitted to attend any one or more courses of Lectures in King's College, and receive certificates accordingly.

18. There shall be admitted into King's College, free of all charges of fees for education, the following number of students from each and every County in the Province, upon their respectively passing the required examination, and upon producing satisfactory testimonials that they are well deserving of such instruction:—

| | | | | | | |
|---|------|------|------|------|------|---|
| County of Saint John, (without the City,) .... | .... | .... | .... | .... | .... | 4 |
| City of Saint John, .... | .... | .... | .... | .... | .... | 6 |
| County of King's, ... | .... | .... | .... | .... | .... | 4 |
| County of Westmorland, .... | .... | .... | .... | .... | .... | 4 |
| County of Northumberland, .... | .... | .... | .... | .... | .... | 4 |
| County of Charlotte, .... | .... | .... | .... | .... | .... | 4 |
| County of York, (without the City of Fredericton,) .... | .... | .... | .... | .... | .... | 3 |
| City of Fredericton, .... | .... | .... | .... | .... | .... | 3 |
| County of Carleton, .... | .... | .... | .... | .... | .... | 3 |
| County of Victoria, .... | .... | .... | .... | .... | .... | 3 |
| County of Sunbury, .... | .... | .... | .... | .... | .... | 3 |
| County of Queen's, .... | .... | .... | .... | .... | .... | 3 |
| County of Albert, .... | .... | .... | .... | .... | .... | 3 |
| County of Kent, .... | .... | .... | .... | .... | .... | 3 |
| County of Gloucester, .... | .... | .... | .... | .... | .... | 3 |
| County of Restigouche, .... | .... | .... | .... | .... | .... | 3 |

And should more than the number limited to each County or City apply for admission at one time under this Section, those who pass the most satisfactory examination shall be preferred.

19. Any person or body politic or corporate may found such and so many Professorships, Lectureships, Scholarships, Exhibitions, Prizes, or other rewards, in King's College, not inconsistent with the spirit and provisions of this Act, as they may think proper, by providing a sufficient endowment therefor in land or other property.

20. The programme of the courses of instruction contained in the Schedule to this Act, shall be provided for and pursued in King's College until altered by the Senate.

21. All students not residing in King's College, and all scholars of the Collegiate School, will be required to board with their parents, or with persons approved of by them, or by their guardians or other persons having charge of their education, or by the President of the College.

22. Scholars of the Collegiate School may receive free tickets to attend such course of Lectures at King's College as they may select, after not less than three months attendance at the School, and upon a certificate from the Head Master, setting forth that from their studious habits and general good conduct, they are deserving of such privilege.

23. There shall be four Scholarships in the Collegiate School, of £15 each, two for the Classical and two for the English department, to be competed for annually during the first week after Midsummer vacation. The names of candidates to be lodged with the Head Master on the first day of Term; the examination to be public, and to be conducted by persons to be named for that purpose by the Senate; provided always, that no student shall hold two Scholarships at one time.

24. There shall be in every County Grammar School, and in the Collegiate School, two Scholarships of £15 each, to be open to annual competition by Scholars from the Parish Schools in their respective Counties, whose parents or friends may not be able to support them while at such Grammar School.

25. The money for any Scholarship under the preceding Section, shall be drawn half yearly, by Warrant of the Lieutenant Governor in Council, upon a certificate of

the Master of the Grammar School, authenticated by two of the Trustees of such School, or in the case of the Collegiate School by the President of the College, that the Scholarship has been held for six months, and that the person holding the same has regularly attended School; has conducted himself with propriety, and has made satisfactory progress in his studies.

26. There shall be in the College one Scholarship of £20, either in the general or the special undergraduate course, for each County Grammar School in the Province, and for the Collegiate School, to be open to competition only by the class of scholars who may have held Scholarships in such Grammar Schools, under Section of this Act, and to be open to competition annually, and the holders of such Scholarships shall be exempt from all fees for instruction in the College.

27. The amount required for any Scholarship under the preceding Section, shall be payable half yearly by Warrant of the Lieutenant Governor in Council, upon a certificate from the President of the College and one of the Professors, that the Scholarship has been held for two Terms, and that the person holding the same has been regular in his attendance, orderly in his conduct, and has made satisfactory progress in his studies.

28. There shall be laid before the House of Assembly, within days after the opening of each annual Session, a full and detailed account of the income and expenditure of the College for the previous year, and also a full and particular report of the educational state of the College, shewing the number of students in attendance, distinguishing the gratuitous, if any, the number of Scholarships held, and the number of Degrees or Diplomas conferred or granted.

SCHEDULE.

MORNING PRAYER.

Let us Pray.

O Lord our heavenly Father, Almighty and everlasting God, who hast safely brought us to the beginning of this day; Defend us in the same by Thy mighty power; and grant that this day we fall into no sin, neither run into any kind of danger; but that all our doings may be ordered by Thy governance, to do always that is righteous in Thy sight; through Jesus Christ our Lord. *Amen.*

O Almighty God, the giver of every good and perfect gift, the fountain of all wisdom, enlighten we beseech Thee our understanding by Thy Holy Spirit; and grant that whilst with all diligence and sincerity we apply ourselves to the attainment of human knowledge, we fail not constantly to strive after that wisdom which maketh wise unto salvation; that so through Thy mercy we may daily be advanced both in learning and godliness, to the honor and praise of Thy name, through Jesus Christ our Lord. *Amen.*

The Lord's Prayer.

The Grace of our Lord Jesus Christ, &c.

EVENING

EVENING PRAYER.

Let us Pray.

Most merciful God, we yield Thee our humble and hearty thanks for Thy Fatherly care and preservation of us this day, and for the progress Thou hast enabled us to make in useful learning: We pray Thee to imprint on our minds whatever good instructions we have received, and to bless them to the advancement of our temporal and eternal welfare; and pardon, we implore Thee, all that thou hast seen amiss in our thoughts, words, and actions; May thy good Providence still guide and keep us during the approaching interval of rest and relaxation, so that we may be thereby prepared to enter on the duties of the morrow with renewed vigour both of body and of mind; and preserve us we beseech Thee, now and ever, both outwardly in our bodies and inwardly in our souls, for the sake of Jesus Christ thy Son our Lord. *Amen.*

Lighten our darkness we beseech Thee O Lord, and by Thy great mercy defend us from all perils and dangers of this night, for the love of Thy only Son our Saviour Jesus Christ. *Amen.*

The Lord's Prayer.

The Grace of our Lord Jesus Christ, &c.

FACULTY OF ARTS.

1. Candidates for Matriculation in the General Undergraduate Course shall pass a satisfactory examination in the following subjects:—

Greek and Latin Languages, Arithmetic, Mathematics, English Grammar and Composition, Ancient and Modern History, and Geography.

2. Candidates for Matriculation in the Special Undergraduate Course shall pass a satisfactory examination in all the foregoing subjects, omitting the Greek and Latin.

General Undergraduate Course of Study.

The Undergraduate Course for the Degree of A. B. shall occupy at least four Terms, at the end of which time Students may be admitted to examination for the Degree of A. B. on producing certificates, signed by the Head of their College, that they have pursued in King's College, or in some other affiliated Institution of the University, the following course of study:—

The Greek and Latin Languages, the English Language, Modern Languages, Mathematics, Chemistry, Zoology, Botany, Mineralogy, Physical Geography and Geology, Natural Philosophy, English Literature and History, Logic and Mental Philosophy, Ethics and Civil Polity.

Candidates who have obtained the Degree of A. B., may obtain the Degree of A. M. on passing a satisfactory examination in the higher Mathematics, and the Greek and Latin Languages.

Special

Special Undergraduate Course of Study.

1. Course of Civil Engineering and Surveying.

The Undergraduate Course of Civil Engineering and Surveying shall occupy at least three Terms, at the end of which time Students may be admitted to examination for a Diploma on producing a certificate, signed by the Head of their College, that they have pursued, in King's College, or some affiliated Institution of the University, the following course of study:—

The English Language, Mathematics, General Physics, Chemistry, Practical Mechanics, Physical Geography and History, Mineralogy, Geology, Civil Engineering, including the principles of Architecture.

2. Agricultural Course.

The Undergraduate Course of Study in Agriculture shall occupy at least three Terms, at the end of which Students may be admitted to examination for a Diploma, on producing a certificate, signed by the Head of their College, that they have pursued in King's College, or in some other affiliated Institution of the University, the following course of study:—

English Language, Arithmetic and Book-keeping, Chemistry, Elements of Natural Philosophy, Zoology and Botany, Theory of Agriculture, Physical Geography and History, Mineralogy and Geology, Surveying and Mapping, History and Diseases of Farm Animals, Practice of Agriculture.

3. Course of Commerce and Navigation.

The Undergraduate Course of Commerce and Navigation shall occupy at least three Terms, at the end of which Students may be admitted to examination for a Diploma, on producing a certificate, signed by the Head of their College, that they have pursued in King's College, or in some affiliated Institution of the University, the following course of study:—

English and other Modern Languages, Arithmetic and Book-keeping, Chemistry and Mathematics, Physical Geography and History, Laws of Nations and Commercial Law, Natural Philosophy and Navigation.

Scholarships in addition to those specified in the Act.

English Language and Literature, Classics, Mathematics, Civil Engineering, Agriculture, Commerce and Navigation. One Scholarship in each branch, of £20.

No. 2.

[See Journal 9th March 1857, page 69.]

REPORT OF THE CHIEF COMMISSIONER OF PUBLIC WORKS,
FOR THE YEAR 1856.

OFFICE OF BOARD OF WORKS,
Fredericton, January 1857.

To His Excellency the Honorable John Henry Thomas Manners-Sutton, Lieutenant Governor and
Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned has the honor to submit the following General Report for the year 1856, in accordance with the provisions of the Act 18 Vic. cap. 7, sec. 2, by which it is enacted that "The Chief Commissioner shall annually make a Report to the Governor in Council of all the Great Roads, and any other Provincial Work, (excepting Bye Roads,) upon which public money has been expended." To this Report are appended the following statements, viz:—

A.—Statement shewing the amount expended by the Board of Works during the year, under the different heads of Supervisors' Expenditure on Great Roads, Expenditure on Bridges, Light Houses, Government Buildings, Dredging Machine, Navigation of Rivers, Travelling Expenses, and Contingencies. Also; Statement of Warrants on the Provincial Treasury, and General Abstract.

B.—Statement shewing amount of Grant to each Road and Supervisor, with the length of Road, number of Bridges costing £25 each and upwards, and Estimate of Expenditure for next year.

C.—Statement of amounts over or under-expended by the Supervisors, on the 1st of November 1856.

D.—List of new Bridges built the last season, with principal dimensions and cost of each.

E.—Colonel Maclauchlan's Report on the improvement of the Navigation of the River Saint John.

GREAT ROADS AND BRIDGES.

GENERAL OBSERVATIONS.

The recent formation of the Board, the late date at which the present Commissioners accepted office, and the consequent impossibility of at once introducing the whole of the changes necessary to the complete working of a new system, have not permitted, during

during the past year, any great alteration in the method of management heretofore employed, and with the exception of some of the larger Bridges, and new works specially superintended by this Department, the whole of the ordinary Road work and Bridge building have been carried on under the former system of Supervisorship, aided by plans and surveys, when necessary, from this Office. In the earlier prosecution of these Public Works, no better system could probably be devised, than the employment of Supervisors, who are by their local influence and position necessarily acquainted with the requirements of their own district, and personally interested in its welfare and development; and considering the difficulties that had to be encountered, and the comparatively small means, compared with the length of Road to be covered, that have been placed at their disposal, it must be admitted that the present state of the Roads and Bridges is generally creditable to the men who have had the management of these public thoroughfares. The number of these Roads have however increased, the annual requirements for enlarged facilities and superior workmanship have grown with the progress of the country; and the augmented travel has rendered the repairs and improvements of the Roads a matter of more constant care than formerly, and placed it beyond the means of private individuals, otherwise occupied, to bestow the necessary time and attention to a rather, for them, unprofitable employment. The class of works that have been recently undertaken, more especially, have required a constant attention and vigilance, that could not have been bestowed upon them under the old system, whilst the preparation of plans, and the necessary office work, would have been a serious addition to the already disproportionate expense of management. The number of Supervisors has been reduced this last year from forty eight to thirty six, and the remuneration from £2,500, or an average of over £52 each, to £1,500, or less than £42 average; no per centage having been paid upon the expenditure by this Board on the heavier and more permanent works that have been undertaken; and as more of these works fall within the operation of the Board, and the consequent amount to be expended upon minor repairs is reduced, the amount of per centage to Supervisors would soon cease to recompense any one undertaking the office; the length of Road increasing, and involving a loss of time and expense of travelling altogether unrequited by the usual ten per cent. allowance. The Chief Commissioner would therefore humbly suggest for Your Excellency's consideration, the propriety of modifying the present system, and so far reducing the number of districts, as to occupy the whole time and attention of each Supervisor, who would be paid by salary from this Office, acting immediately under the orders and instructions of the Chief Commissioner, and reporting constantly every particular of his division.

The appointment of the Supervisors has hitherto been, by law, in the month of March, their duties commencing on the 1st of April, and the term for one year. It is further required that no day labour shall be done after the 1st of October, and that the Vouchers and Accounts of the expenditure shall be sent to the Audit Office before the 15th of November, which virtually closes the Supervisors' duties. This arrangement precludes any work being done during six months of the year; the best season for procuring all sorts of timber and sawn lumber, for hauling supplies, gravel, building stone, and permanent materials; for erecting Bridges, or doing any repairs that temporarily interrupt the thoroughfare; and the only time when the sap of the trees is down, and a proper description of timber can be procured for the culverts and smaller
Bridges.

Bridges. A great proportion of the outlay in the construction of the Roads, and by far the greater quantity of repairing afterwards, is thus compelled to be done at the wrong season of the year; and the almost universally expressed wish of the Supervisors to have the material of the Bridges obtained in the winter, when the expense is probably one half, and the timber better, is necessarily disregarded, from the Accounts at that season being closed, and no provision having been made for the carrying on of any description of road work. For the same reason, and this is especially the case in opening out new Roads, or making deviations, it is almost impossible to use any description of timber but such as may be found in the neighbourhood; the haulage of stone, excepting upon the snow, could not be attempted, and the procurement, in short, of any thing but the worthless soft woods bordering the Creeks and Rivers, which it is necessary to cross, being rendered difficult and expensive by this necessity of summer work. It has not been from want of knowledge, or disregard of the public service, that many an inconsiderable stream in New Brunswick has cost as much as would have built a cut stone Bridge, but from the necessity of using the native growth of a swampy bottom, aggravated by being cut at the worst season of the year. The rapid destruction and rotting of these Bridges has not only kept them in a perpetually rickety condition, but has absorbed so much of the means at disposal, as to leave the road-bed as a minor, or at least a more neglected, consideration; and thus in some swampy and low-lying districts, the state of the Road has been totally disregarded, and become bad, not from penurious grants on the part of the Legislature, or reckless expenditure on the part of the Supervisor, but because the whole sum at disposal has been required every summer to replace the rotting piles of hemlock logs, by other structures equally short-lived, and equally extravagant in their cost, in comparison with the duty performed.

The manner of letting the Road contracts is another evil in the system, and has not been favourable to the production of sound work. The Supervisor is compelled by law to sell the making of the Roads, &c. by auction, and to accept the lowest bid. The parties tendering are generally the poor back settlers of the district, always anxious to obtain ready money employment, perfectly ignorant of the value of the work, or how it is to be done, and led on by a spirit of competition to make some of the most egregious offers and inconsistent engagements. These bids are generally so many unfortunate guesses, and the work has to be performed often at 1s. or 1s. 6d. per day, without any knowledge of the commonest principles of Road making, under no supervision, and in the most superficial and rudest manner possible. Some little latitude in letting these contracts, and the constant attendance of a person who can point out exactly what has to be done, giving particulars and quantities, and whose duty it would be to visit the work frequently whilst in progress, would obviate a part of the difficulty, prevent the present trickery and irregularity, and ensure a better system of working, and a more faithful and efficient performance of the contract.

On lines not yet opened through, and when the Road is only partially completed, the present legal method of doling out these small contracts, without any adequate supervision, has been extravagant and useless, and caused some of the Great Roads to be practically unserviceable as means of through communication. The outlay year after year fails to complete the connexion and open the district to through travel, causing the settlements to remain isolated and unknown, and the Bridges and road work

work are decayed before they are fairly brought into use. Eight of the forty two Great Roads are still unfinished the whole distance, and the want of four of them, at least, is a great drawback upon the settlement and development of the districts through which they pass. To illustrate the heavy expense of this unfinished work, and the failure of the present system to fulfil the requirements of the Great Road service, the line from Oak Bay to Eel River may be instanced. This Road, if completed, would form an important line of communication from Saint Andrews, Saint Stephen, Calais, and Baring, to the agricultural districts of Woodstock and the upper Saint John, saving at least twenty miles over the present route through the State of Maine, via Houlton, and opening up two or three very flourishing settlements. In 1846, of the sixty miles of this Road, thirty two were in good travelling condition, the remainder were more or less completed, and the only two Bridges of any size on the whole Road, occurred in this unused portion, and were then in good order. In ten years, Grants to the amount of £4,930 have been expended, besides the statute labour, which has probably been sufficient to maintain the travelled portion of the line. The Road is still impassable throughout, the two Bridges have decayed, and one of them has been rebuilt the last season at a cost of £100; and of the twenty eight miles still unfinished, the Supervisor reports that fifteen miles at the north end will require £2,000 to complete it for ordinary traffic.

The Roads from Dead Water Brook to Saint Stephen, being the main line from Fredericton to the United States; and from Lower Trout Brook to Magaguadavic, completing the communication from Fredericton to the Town of Magaguadavic, would form, if opened through, two very important lines of travel, and are at present but partially serviceable from their unfinished and impassable condition, where they connect with the Fredericton and Saint Andrews Road.

The number of miles of Great Road in the Province is 1,630; of larger Bridges, 470; and of smaller ones about 1,400. Of the former only three are entirely of imperishable materials, and thirty six have stone abutments with wooden superstructure. About 100 of the larger Bridges have cedar abutments, well built, and of durable character; the rest are principally of hemlock, much of it cut the wrong season of the year, peeled for the sake of the bark and to lighten the haulage, and improperly notched down and secured; these Bridges all fail within twelve, and many of them within ten years, and the perpetual repetition of the same description of work has made some of the worst Roads in the Province by far the most extravagant in outlay.

The arrangements for the past year had been completed, the greater portion of the work either done or contracted for, and the annual appropriations so far expended before the present Commission accepted office, that but little remained for them but to assist as far as possible in carrying out the views of their predecessors, and to collect as much local and general information as would prepare them, another season, for a more complete and thorough organization of the important duties under their charge.

GREAT ROADS.**No. 1.—From Saint John to the Nova Scotia Line.—132 miles.**

This Road throughout is in a good state of repair. The whole of the Bridges damaged by the great freshet of 1854 have been rebuilt in a substantial and durable manner, and with the exception of the one at Hampton Ferry, are all open to the public. The particulars of this Bridge, and also of the Hammond River and Missiquash, built under the direction of the Board of Works, and finished this season, will be found under their respective headings. Besides these, two new Bridges have been built over the Mill Stream and Fox Creek, by the Supervisors of the districts. The latter is a short Bridge on framed bents of spruce; the former has hachmatac abutments hewn 10 inches square, and bolted together from top to bottom; 75 feet span, supported with Queen-post trusses of pine and hachmatac, and pine plank flooring; the superstructure planed, and painted with three coats.

Besides the new Bridges, the particulars of which will be found in the Appendix, some heavy repairs have been put upon the others. The long Bridge across the Aboideau near Saint John has been walled up on each side, raised solid with stone, and fenced, at a cost of £125.

The Bridge over the Marsh at Groom's Cove has been reframed and partially re-floored, at an expense of £55. This Bridge is now nineteen years old, and will not stand over two years more, the present repairs being merely to keep it safe till the new one is built. Its original cost was about £400, and when it is replaced it should be with a solid embankment, and a water course of about 10 feet span. The cubical contents would be about 12,000 yards, and the total cost, including culvert and railings, will be, complete, about £800.

The Bridge at Roache's, 45 miles from Saint John, built in 1855, was strained by having a herd of cattle driven over it in a body, and has been this season strengthened and repaired at a cost of £24, to guard against a recurrence of the mischief. This Bridge has two 75 feet spans, supported by the ordinary truss, and is only 16 feet between the railings, which is 4 feet less than the usual breadth, and shews the advantage of having these spans kept within narrower limits than might be necessary on long framed Bridges; as the weight of such a drove on a breadth of 22 or 24 feet might under many circumstances have caused the destruction of the whole.

Between Saint John and Hayward's Mills, 65 miles, there is only one small Bridge, excepting Groom's Cove mentioned above, that will require rebuilding, it is hoped, for a number of years; this is over a ravine at Morton's, Upper Sussex, has been standing seventeen years, and will cost next year about £125 to replace it. There is however a very heavy traffic, and the repairs of the Road are estimated at £500 per annum, for this half of the distance.

Between Hayward's Mills and the Nova Scotia line, 67 miles, the expenditure the last season has been principally in turnpiking and gravelling, which, though expensive, from the distance the gravel has to be hauled in some places, makes the most durable and ultimately economical Road. The Bridges will want some repairs next season, principally hand-railing and new covering, and the estimate for all purposes is £700.

The Bridge over the Tantamar River, on Town's lattice principle, has been for some time in a bad state. Last spring the centre pier was again badly damaged by the ice,

and several of the beams and braces of the truss were broken. Its reconstruction next year will be necessary. The remaining large Bridges are in a very fair condition, and unless injured by ice or accident, will need nothing for some time but the ordinary repairs.

No. 2.—*From Saint John to Saint Andrews.*—66 miles.

From Saint John to Lepreau, 26 miles, the Road is in very fair condition; from thence to Magaguadavic the Road is flat, the drainage defective, and the ditches obstructed with fallen logs and underbrush, requiring skirting and ditching most of the distance; beyond Magaguadavic, to Saint Andrews, it is in much better condition, but rough and hilly.

During the last year the Board of Works have erected a new Bridge over the Musquash, and another new Bridge across the Popologan has been built and paid for out of the Great Road money. The dimensions and particulars of the Popologan Bridge are given with the others built by the Road Supervisors in Appendix D.

No new Bridges of large dimensions will be necessary on this Road for some time, but during the next season there are four smaller ones which it will be necessary to rebuild, at a total cost of £260, and it is desirable that the timber for these should be procured during this winter, especially for the New River, when the haulage will be from four to six miles, and the procuring of proper materials, except in the winter, difficult and expensive. The estimate for next year, including the new Bridges and skirting the Road from Lepreau to Magaguadavic, is £700; and besides this necessary expenditure, there are some steep pitches and bad places, especially between Saint Andrews and the Digdeguash, which might be altered or avoided at trifling expense, and which, when judiciously effected, will be a great improvement to the travelling.

No. 3.—*From the Bend to Shediac.*—14 miles.

This Road is in tolerable travelling condition, but the material in the neighbourhood is not of a good quality for Road making, and the traffic upon it is so great, and annually increasing, that it requires, in proportion to its length, a large sum to keep it in repair. There are no Rivers on the route, and the largest Bridge on the line has been rebuilt the last season at an expense of £18. The Grant last year was £200, and the estimate for this year is the same.

No. 4.—*From Dorchester to Shediac.*—21 miles.

It would require a large outlay to put this Road in thoroughly good condition, the Bridges are old, and the Road material is not good. The greater portion of the annual Grant has generally been absorbed in the necessary repairs to the Bridges, leaving but a small sum to make any permanent improvement elsewhere. During the last season the Memramcook, and Scadook West Branch Bridges, have been repaired; but the former is still very much out of order, and ought to be rebuilt; and both it and the Dorchester Bridge will need next year heavy repairs to keep them passable and safe. The estimate for these two is £90, and the rest of the Road can be kept to its present condition for about £60, making a total requirement of £150 for the incoming season.

No. 5.—*From Shediac to Richibucto.*—36 miles.

This Road, though only 36 miles long, has in that distance twenty three Bridges of large size, nine of smaller dimensions, costing from £12 to £25 each, and ninety four culverts costing from £2 to £10 each. The Bridges across the Cocagne, Shediac, Big and Little Buctouche, and Richibucto, are collectively upwards of one and a quarter miles in length, and cost together £6,900, or about £1 currency per running foot.

During the past season no new Bridges have been built, but within the last two years all the Bridge coverings have been renewed, and the other portions substantially repaired, so that, excepting accidents, there will be no new Bridges to build, or heavy repairs to make next year. Probably £50 will do for the Bridges. The side drains for the greater part of the Road have never been cleaned out since the Road was made, and other portions are worn flat, but it is generally in good order, and for the next season £250 will be sufficient to maintain it in the same condition. The large Bridge across the Richibucto begins to shew signs of weakness, but will probably not require any outlay upon it for some time to come. It was built in 1848, and cost £2,400.

The culverts in this district require renewing every sixth year, the covering of the large Bridges will scarcely stand five years, and all logs above low water mark require renewing every fifteen years; the present satisfactory condition of these structures is therefore above the average, and next year's estimate of £300 is consequently less than the ordinary annual requirement of the Road.

No. 6.—*From Richibucto to Chatham.*—40 miles.

During the past year the Bridge across the Big North West Richibucto has had 240 feet of the south end rebuilt at a cost of £135; and the north end, built in 1845, has been thoroughly repaired at a cost of £100, making the whole equal to a further durability of fifteen years. The Bridge across the Little Bay du Vent has also been repaired, but will require entirely rebuilding next year. The rest of the Bridges are in a very good state, and will not need more than occasional repairs for four or five years. The Road generally is in a fair travelling condition.

From Chatham to Black River, 8 miles, has been thoroughly repaired this season, and is now in very good order; from thence to Dickens', 8 miles, is low swampy land, many parts requiring to be turnpiked; thence to Kouchibouguac, 10 miles, has been repaired lately, and is in a very fair state; to Kouchibouguacis, 7 miles, will require some work next season; and to Richibucto, 7 miles, has been nearly all turnpiked this year, but from the nature of the soil, which is nearly all clay, and from the heavy travel, is liable to be cut up. The total estimate for next year, including the new Bridge, which will cost £60, is £400.

No. 7.—*From Miramichi to Pokemouche.*—62½ miles.

The annual appropriations on this Road have been hitherto principally expended in opening the line through to Pokemouche, and dispensing, as far as possible, with the inconvenience of the numerous ferries. The amount left for the Road itself, after making the necessary repairs to existing Bridges, has been consequently too small to keep it at all in proper condition, and it is now in many places worn so flat as to retain the

the surface water. This is especially the case above Tabusintac, where the Road was originally badly located, and where two important deviations have been laid out, to complete which will involve the construction of three miles and a half of new Road, and a further outlay of £375. Two of the old Bridges on the line are very much decayed, and one especially, at Alexander Stewart's, is now in a dangerous state, and must be rebuilt next year.

The principal work of the year has been the Bridge at the Little Tracadie, to supersede the Ferry, which is now complete except the railing. Up to the date of the last Report £240 had been expended in procuring materials, and during the past season the erection and completion of the Bridge, at a further expenditure of £575, has been successfully effected. The whole structure is 617 feet long, has two spans of 70 feet each, and a Draw to allow boats to pass, the remainder being built up solid with hemlock logs, cut in the winter, well fastened down, and covered with gravel, for a roadway. The spans are supported by double Queen-post trusses, the materials of which, as well as the stringers and flooring, are entirely of white pine. The whole cost of this Bridge has been, up to the present time, £813 14 8, of which £100 was expended in 1854, £138 10s. in 1855, and £575 4 8 in 1856. Of this last, £50 has been derived from a special grant of the County of Gloucester, and the balance from the Great Road money. The Draw, though not included in the original estimate, was subsequently found necessary, and has been included.

The next heavy expenditure on this Road will be the Bridge to supersede the present Ferry at Tabusintac, 34 miles from Miramichi. The breadth of the stream at this place to be spanned originally was 1,600 feet, and by reference to the last Report it will be seen that at that date 1,100 feet at the north end had been completed, and the remaining 500 feet, to cross the current, was estimated to cost £700. Since then the arrears on the part finished have been discharged, and a contract has been let for the supply of the whole of the timber for the remaining portion, on very favourable terms. This timber is to be on the ground by the 1st of June next, the hemlock being all cut during the present winter. As at Little Tracadie, it is found necessary to introduce a Draw for the purposes of navigation, and the estimate includes beside the construction of a Bridge over a hollow at the north end of the present Bridge, being in fact a continuation of it, and equally important. With these additions, the cost of completion will be about £900, including the contract for the timber recently let, which amounts to £328 6 2. When this Bridge is completed, there will only remain one Ferry, across the Big Tracadie, between the Pokemouche and Miramichi. The estimate for the next year includes £120 for the Bridge at Stewart's Brook, £150 for general repairs to Roads and Bridges, and £330 for timber, &c. for Tabusintac. Besides these necessary expenditures, amounting to £600, there are still to complete the alteration at the north side of Little Tracadie, £250, the deviation at Big Tracadie, 1½ mile long, £125, and the erection and completion of Tabusintac Bridge, £500, a portion of which may probably be postponed to another season.

No. 8.—*From Bathurst to Pokemouche.*—51 miles.

The greater portion of the expenditure the last year has been upon the Road, which had fallen into very bad condition. More than 12 miles have been thoroughly dressed up and repaired at a cost of £130. One small Bridge has been built, and repairs made

made upon eight others. The south abutment of the Bridge over the North Branch of Caraquet, 32 miles from Bathurst, built in 1847 of small sapling pine, sided, and notched down close, then filled up with marsh mud and gravel, having slipped from its place about three feet down stream, was contracted this summer to be emptied and restored to its position, but it proved so decayed as to involve the building of an entirely new abutment. This will require to be attended to, and it is proposed to reconstruct it altogether of cedar. Besides this there are two other Bridges which will require rebuilding next year; both of them are now twenty years old, and very much dilapidated. The estimate includes £300 for these three Bridges, and £100 for the general repairs of the Road and culverts; making a total of £400 that will be necessary for next year. £400 of last year's Grant was retained in the hands of the Board for the purpose of completing 900 feet of a block on the north side of the present Caraquet Ferry, in addition to two Special Grants for the County of Gloucester, which were estimated to be sufficient to procure the timber for the same. The particulars of this proposed expenditure are given in the last Annual Report, but the appropriations still remain undrawn from the Treasury, the year being too far advanced, when the present Commissioners accepted office, to permit the advantageous expenditure of the same this season.

No. 9.—*From Bathurst to Belledune.*—23 miles.

This Road is now in a very good state of repair, and the Bridges, though most of them twelve or fifteen years old, are generally in good preservation. One new Bridge has been erected this year, and repairs have been put upon two others to make them last four or five years longer. The gravelling of the Road, and the substantial repairs that have been made from time to time, and the general use of cedar in the Bridges, have given a durability and character to them very superior to those on many other lines. New covering will be necessary on two Bridges next season, which, with the ordinary repairs to the Road, will require £200, a sum which will probably be sufficient for some time, as no heavy repairs or new work are expected to be necessary for three or four years.

No. 10.—*From Belledune to Metis.*—62 miles.

The Road from Belledune to Jacquet River is well made, drained and gravelled; from there to River Charloe, 14 miles, is worn flat, and wants regravelling at an expense of 1s. 6d. per rod, or £336. Thence to Dalhousie and Campbellton is in good order; and from Campbellton upwards, 16 miles, is soft and undrained, and will require heavy repairs next season. A new Bridge is required over Eel River, which will cost probably £700; the present one is much decayed and cut with the ice, and will probably not be able to withstand the next spring freshet.

The outlay the last year has been principally expended upon the culverts, drains and side ditches, and in gravelling. Two new Bridges have been built, and four old ones substantially repaired.

The estimate the next season, exclusive of Eel River Bridge, includes an embankment 386 feet long, to form an approach to Jacquet River Bridge, which requires wharfing up to protect it from the high tides, and railing in with the Bridge, £80; a ravine at M'Neil's, which requires wharfing up, is the worst place on the line, and at present

present dangerous, £50; repairing Road above Campbellton, £300; and regravelling half the distance from Jacquet River to River Charloe, £170: Total £600. There are twenty nine large and several small Bridges on this line, and a principle has been adopted with the short spans and deep ravines that seem admirably to answer the purpose. The timber employed is altogether cedar logs wharfed up a certain height to form the abutments; then three tiers of stringers, with cross-ties every 9 feet between each tier, the upper tier supporting a row of cedar poles, laid close together, over both abutments and span, and the whole brushed and covered with gravel. This superstructure is as durable as the Bridge itself, protects the timber from the wear and weather, saves all hewing, sawing or fitting together, and employs the cedar in its natural and most advantageous shape; and as the piers, abutments, stringers and flooring are all of the same material and equally protected, the decay is dependent only upon the well-known properties of the timber, and its freedom from internal rotting. Bridges of this sort may be expected to last without important repairs for 40 years, whilst in point of original cost, they compare favourably with any structures in the Province; the average cost of the eighteen now on this Road being only about 10s. per running foot, whilst the average on all the Great Roads together is more than double this sum.

No. 11.—*From Newcastle to Bathurst.*—50 miles.

This Road is very much out of repair, and will require a heavy outlay to make it equal to the line round the coast between the same points. From Bathurst to Tabusintac, the Road is especially bad, the greater part of it requiring to be turnpiked, gravelled, and in many places widened, the soil being a heavy clay, with a nearly total absence of gravel. The Bridges over the Bartibog and Little Bass Rivers are completely decayed, and must be renewed next year, and the north span and abutment over Tracadie Brook is also in a bad state, the other portion of the Bridge having been built new in 1853. The other Bridges are nearly new, and generally in good order. During the last year new Bridges were built at Douglstown, and over the Little Escadilic, particulars and cost of which are in the Appendix. The estimate for the ensuing year includes the rebuilding of the Bartibog Bridge, £200; Little Bass River, £100, and part of Tracadie Brook, £120; repairs and re-covering Bridge over Carman's Lake, £25, and general repairs to Road, £155: Making a total of £600.

No. 12.—*From Newcastle to Fredericton.*—102 miles.

This Road is in many places out of repair, the Bridges and culverts are numerous, and many of them having been originally built with barked hemlock, have very little durability, and are generally decayed and dangerous. In many places wood of a good description cannot easily be obtained, and the amount of work to be done has hitherto so far exceeded the means that were at hand, that repairs have been made in a temporary and inefficient manner. The Bridge across the North West Miramichi, built by a Company as a Toll-Bridge, has been bought and thrown open to the public, particulars of the construction and cost of which are mentioned afterwards. During the past season this Road has required constant attention, some great improvements have been introduced, and the travelling is now safe, but it is not equal to the other Great Roads out of Fredericton, and it will be some time before the expenditure for rebuilding

ing Bridges and repairing the Road can be reduced to the ordinary amount. Two new Bridges have been built, and a third is now under construction. During the next year there will be required three new Bridges, all of them small, and a deviation to avoid a fourth; four Bridges require refooring, and near the Nashwaak the Road is narrow, and subject to landslides. The estimate for all purposes being £950. The great trouble on this Road is now the material of the bridging, and it is a matter of great consequence to have good timber procured in the winter. There are thirty Bridges altogether on the line, of which four belong to the largest class, and have cost collectively over £9,000, and all but five have hemlock abutments, generally summer cut. These Bridges have cost nearly £13,000, and as their durability is not averaging fifteen years, the cost of rebuilding Bridges alone will amount to £900 per annum, without a more substantial class of erections can gradually be introduced. It is further observable that the average price of the whole Bridges on this Road exceeds £2 per running foot, which is four times the cost of the durable cedar Bridges on the Metis Road, and double the cost of the stone abutments on other Roads near Fredericton. Besides the thirty large Bridges, there are fifteen smaller ones under £25 value, all of hemlock. There is one Bridge with stone abutments and a long span, over Indian Town Brook, but the truss was not well connected with the stone work, and has settled about two feet on one side. The expenditure on this Road the last year has been £850.

No. 13.—*From Fredericton to Saint John.*—66 miles.

This line of Road is generally in good travelling condition. Some of the Bridges are very substantial work, with stone abutments, and cedar or hachmatac superstructure; but many are equally indifferent, of spruce or hemlock. The Road was opened through in 1826, and some of the original Bridges and culverts of that age yet remain between Saint John and Government House. Of these, some built of cedar still stand good; and as shewing the durability of this timber, the stringers in the old South Bay Bridge, excepting two, were all of cedar, and perfectly sound after thirty years in use, whilst of the other two of white pine and very much larger scantling, one was completely decayed, and the other had long been broken in two in the middle. During the last year the Grant has been mainly expended in small repairs along the Road, no new Bridges having been built by the Supervisors. Next season new Bridges are wanting over the Brizzly Stream, Queen's Brook, and at the mouth of the Nerepis, at an expense of £350. The repairs of the Road, including a number of small culverts between Saint John and Government House, the skirting of a portion of the north end, and protecting the Road in places from the freshets by stone work, is estimated at £400, making the total requirement for the Road service next year, £750.

The Bridge across the South Bay, near Saint John, has been completed during the year by the Board of Works, and thrown open to the public, the particulars of which are given in a subsequent Report; and the reconstruction of the Oromocto Bridge having been determined upon, a contract has been let for the quantity of timber required, to be delivered by the 16th of next May.

No. 14.—*From Fredericton to Woodstock.*—63 miles.

This Road, running parallel to the Saint John River, and close to the west bank, is generally rough and hilly, and is intersected by numerous ravines and water-courses running

running into the Saint John, and though the quantity of water passing down these rivulets is not very considerable, yet they require substantial work to resist the occasional ice-jams and freshets, and frequently lofty and expensive abutments. On the whole line there are fifty two Bridges that have cost over £25 each, twenty one varying from £5 to £25 each, and an immense number of culverts and cross-water drains besides. Of the larger Bridges, exclusive of Sullivan's Creek now building by the Board of Works, one is altogether of stone, twenty one have stone abutments with wooden or earthen superstructure, and three of them are laid out for a double track. Of those having stone abutments, sixteen, built during the last three years, have a covering of cedar poles laid longitudinally over the walls, and close together, then brushed and covered with gravel. For all spans under 12 feet these Bridges may be expected to last fifty years, and are perhaps the best description for small streams, wherever the materials can be procured, throughout the Province. The use of gravel saves the great expense of frequent replanking, besides being more safe and agreeable for travellers; and as there is no limit to the breadth excepting convenience, in many places they can be made wide enough to save handrailing, or to accommodate the angular direction of the Road over streams, without diverting the course of either. During the last year four of these stone and cedar Bridges have been erected, at a cost of £150. £40 has been expended in the repairs of Bridges, and the balance of the Grant on the Road generally.

For the next season the Bridges over Garden's Creek, Long's Creek, and Meductic Brook, ought to be rebuilt, and there are four others in a very bad condition. The estimate for the seven is £1,050; for the three immediately required, £640, and for the repairs on the Road generally, £340; making together £980.

In the course of two or three years the cost of new Bridges on this Road will cease to be any great annual requirement. The large Bridge at Eel River will last probably forty years; Sullivan's Creek will be permanent work; and when the Bridges now reported upon are finished in the same style as the late work, only three Bridges will remain out of the whole fifty two that will cost more than £100 each, to rebuild, to require renewal for ten or twelve years. There are, however, some bad places on the Road to improve, and some of the approaches to the Bridges and steep hills are dangerous and inconvenient. The line is generally in a good state of repair, is very much travelled, and is probably one of the most important through communications in the Province.

No. 15.—*From Woodstock to the River DeChute.*—40 miles.

This Road is naturally rough and hilly, crossing a succession of deep ravines and abrupt elevations, requiring heavy and frequent curvature to obtain a tolerable gradient. It is at present in very good condition, but the soft nature of much of the ground, and the position of the Road in many places immediately on the banks of the River Saint John, render it liable to be washed and channelled in the spring, and involves annually considerable expense in repairs.

During the season one new Bridge has been erected, and a deviation has been completed, about 3 miles north of Woodstock, to avoid another Bridge and reduce two bad hills, besides one or two minor alterations for the same purpose.

Next year a new Bridge will be required at Rideout's, some extensive repairs to the Little Presqu'île Bridge, and two or three culverts, the estimate for the whole being £300.

No. 16.—*From River DeChute to Grand Falls.*—33 miles.

This Road is a continuation of the last, has the same general characteristics, and is now in thorough repair. During the season the principal expenditure has been upon the Bridges, two of which have been rebuilt, and others repaired. One of the new ones is over Wark's Millstream, is 160 feet long and 35 feet high, with cedar abutments, and crosses the ravine by one span of 60 feet. This is in place of a hemlock Bridge, with one block in the middle of the stream, and the interval to the roadway on either side supported by five bents also of hemlock. The old Bridge was 140 feet long, cost £90, and had been in use fourteen years; the new one, 20 feet longer and 8 feet higher, has cost, well finished and painted, £148.

No new Bridges will be required on this Road next year, and £200 will probably be sufficient for all purposes.

No. 17.—*From Grand Falls to Canada Line.*—50 miles.

This Road is altogether out of condition; the Bridges are most of them the original structures, built in 1839 and 1840, and seem all failing together; the Road materials are bad, and the soft muddy bottom requires a deal of bushing and gravelling before it can be considered in a proper state. Of the twenty five large Bridges only five are less than ten years old, and fourteen have been built more than fifteen years, so that for the next few years this Road will require a heavy expenditure to keep it simply passable.

During the last season the only new Bridge to report is the one across the Madawaska at the Little Falls, which is not at present quite finished, but the expense of which will be defrayed out of the balance of last year's appropriation, now in the hands of the Supervisor. Next year three new Bridges will be required, a part of the one over the Quisibis will be to rebuild, and four others need more or less repairing; the estimate for all of which is £650. Besides this, the Road requires some thorough work, for which £200 will be necessary to keep it in a passable state.

No. 18.—*From Little Falls to Saint Francis.*—32 miles.

This is a new Road, still very incomplete, and would require a large sum to make it equal to the other Great Roads. During the season two new Bridges have been built, and a portion of new Road at the lower end has been completed; the upper end has not yet been much used, and the last four miles to the Saint Francis still remains to open. The exploration of this portion was made last summer, and it is estimated to cost £350 to make it passable for traffic.

For the next season a new Bridge is wanted to supersede a very dangerous ford, and a portion of Road to connect it with the present line. This is estimated to cost £175, with the Bridge, and the repairs of the Road from thence downwards will be £75, making a total of £250 altogether.

No. 19.—*From Grand Falls to American Boundary.*—3 miles.

During the season a new Bridge and about a quarter of a mile of new Road have been built near the Line. The Bridge is across the Deep Gully, and was very much needed, is of very good materials, and will be durable. The other Bridges and the Road are in tolerable condition.

No. 20.—*From Pickard's Store to American Boundary.*—5 miles.

This line has no important Bridges, but is still very incomplete, and inferior to the Road at either end of it. It would be necessary to spend a considerable sum upon it, and make some heavy alterations, before it could be considered as finished. To keep it as it is will require a small sum annually, and perhaps for next year £100 between this and the previous Road may be found sufficient for all purposes.

No. 21.—*From Buttermilk Creek to American Line.*—9½ miles.

There are no important Bridges on this line, and its original location was very bad. During the season a very important alteration has been made near the Boundary, the Road turnpiked, and gravelled nine inches thick; and this part of the line, which was almost impassable, is now the best on the route. A second deviation, to avoid some bad hills, has been laid out, and the land damages paid, but nothing else has been done upon it. This deviation, and another near Buttermilk Creek, will require to be made before the Road can be satisfactorily established. It will require £100 to make these two alterations next season.

No. 22.—*From Woodstock to American Line.*—11 miles.

There is only one Bridge on this line of any consequence, which has been rebuilt this year with cedar logs, and covered with the earth taken from one of the approaches, the grade of which has been reduced. An extensive alteration commenced last season, has been completed this, obviating the necessity of reconstructing a Bridge that was very much decayed. The land damages on the deviation were heavy, and discharging these, and the cost of the new Road, absorbed the greater part of last year's Grant. During the last four years some great improvements have been made on this Road; twenty seven stone culverts have been put down, replacing others of temporary construction. The cost of these, the new deviation, the Bridges, and other improvements, have employed nearly all the annual Grants, and the repairs of the Road generally have been neglected to carry out these various alterations. This line, continuing the Great Military Road through the State of Maine, is the principal communication between that State and the River Saint John, between the lumbering on the upper Rivers and the City of Bangor; and with an extremely heavy traffic, and but little repairs on the greater portion of the Road for three or four years, it is now out of condition. The estimate for next year is £150. There will be no Bridges to build for some time, and a moderate sum afterwards should keep it in good order.

No. 23.—*From Fredericton to Saint Andrews.*—78 miles.

Some of the Bridges on this line are old and worn out, and the one over the Maguadavic fell last summer, and is now being rebuilt; the Road besides is generally in very fair travelling condition, but is worn flat in places, and the drainage is imperfect.

During the season about 5 miles of Road between Clarke's and the Red Hill have been remodelled, turnpiked, skirted, and the ditches cleared out, and a new stone Bridge has been built over the Waweig. This Bridge has the abutments and shear-water of large split granite, and the superstructure of pine and cedar, and presents an excellent model wherever similar materials can be procured. The walls forming the
abutments

abutments are 20 feet long, and the shearwater extends 24 feet additional on the upstream side. The bottom courses are laid with large stones running through the wall 6 feet wide; above the third course the wall is coursed off 2 feet at the back, and batters 1 inch to the foot high in front, and the pine stringers are bolted on to the top course. The clear span is 30 feet, and the total length, including abutments, is 80 feet. The whole cost, including 5 inch cedar flooring, stringers, and hand-railing, is only £76, or less than £1 per foot run, and below the average of similar wooden Bridges throughout the Province. This is the second Bridge of the same construction on this line of Road, and as granite exists throughout the whole of this district, and almost up to Eel River, 12 miles below Woodstock, the additional expense, with proper arrangements for winter haulage, would be very little, if any, over timber, for the abutments. Next year one new Bridge will be required over Trout Brook; heavy repairs to the Digdeguash and Johnson's Cove Bridges, and two others in the County of York must be re-covered. The new Bridge across the Magaguadavic will be finished before April, at a cost of £125. Exclusive of this, the estimate for next year is, for the new Bridge £55, repairs to others £110, and to Road generally £135: Total £300.

No. 24.—*Waweig to Saint Stephen.*—9 miles.

This Road is now in very good condition, and the Bridges are of excellent workmanship and durable materials. Some very heavy repairs have been put upon them during the season, and the long Bridge across the Waweig has been entirely rebuilt above high-water mark. This work has been executed in a very substantial manner, and one abutment is of large sized split granite, the whole cost having been £336. Two other Bridges have been repaired at considerable expense, one almost amounting to a renewal, and the other two on the Road have stone abutments and cedar covering. The cost of keeping the Bridges in repair will therefore not be very heavy for some years, and the estimate for next year's operations in only £75.

No. 25.—*Roix to Oak Bay.*—16 miles.

The Grant last year has been entirely expended in repairs upon the Road, the only Bridge on the line, across the Digdeguash, being in good order. This is not an expensive Road to keep up, and a Grant of £75 per annum will be sufficient for the purpose for the next year or two.

No. 26.—*Oak Bay to Eel River.*—60 miles.

Beginning at the Saint Andrews end, ten miles of this Road is in very good order. to Smith's Mills; eight miles more are turnpiked, but are in bad condition, and the remaining twelve miles to the Little Digdeguash are but little better than a winter Road; the swamps are bridged, and the whole distance grubbed and levelled, a small portion is turnpiked, but it would require £700 to make the last twenty miles equal to the first ten. From the Little Digdeguash to near Howard Settlement, for fifteen miles the Road crosses a granite ledge, and the expenditure on this portion, though very heavy, has scarcely as yet made it passable as a winter Road. Four hundred rods of this portion were let last summer to be levelled eighteen feet wide, which cost, including Commission, £184 13 4, and took nearly all the Grant for the upper end of the Road. This is at the rate of £150 per mile, and the estimate for the fifteen miles is put down

at

at £2,000. From near Howard Settlement to Eel River, fifteen miles, the Road is in a very good condition, and answers all present requirements. The Bridges on the line, of which there are six, are all in good order, the principal one across the Digdeguash having been rebuilt during the season, taking about half the total Grant for the lower end, the balance being expended in repairs near Saint Stephen.

In making out the estimate for the next year, the fifteen miles at the north end, and eighteen miles at the south, can be kept in as good repair as necessary for £100, and the Bridges in the intermediate distance will require no outlay for a year or two. With respect to the remaining portion, a moderate sum might improve the twelve miles to the Digdeguash to make it a passable Road; but the other part, north of this, requires too heavy an outlay to be treated with advantage on the present system, and it is a question whether the whole amount should be expended at once, or whether this middle portion should be permitted to remain as it is, till some further action upon it becomes necessary. The former course would materially assist the operation of the Railway works now in progress through this district; under the present system the Grants are mainly expended in the perishable works, and small patches along the line, and though they have averaged for eleven years the same sum as granted last season, £470, it is doubtful whether one half the new work is really completed.

No. 27.—*From Dead Water Brook to Saint Stephen.*—17 miles.

The western portion of this Road is very much travelled, leading from a thickly settled agricultural district to Saint Stephen, Calais and Baring, and were the eastern part opened through, this would be the main route from Fredericton to the State of Maine. From Saint Stephen to the intersection of the Woodstock Road is in pretty fair order; from the Woodstock Road to the Fredericton Road is scarcely touched, and to complete this portion requires the making of three miles of new Road, and the building of a Bridge across the main Digdeguash. The whole expense of opening this line would be under £1,000, and its completion would open up a good country, and form a valuable through line of communication. The expenditure the last year has been confined to improvements in the Road between the Woodstock line (No. 26) and Saint Stephen. Next year a new Bridge is required across Dana's Stream, which is now in a very decayed state, and which will probably cost £250. The repairs of the Road besides, excepting new work, will not be heavy, and an allowance of £300 will cover everything.

No. 28.—*From Lower Trout Brook to Magaguadavic.*—38 miles.

This is another unfinished Road, intended to form a branch from the Fredericton and Saint Andrews Road to the Town of Saint George, passing for the greater part of its length down the Valley of the Magaguadavic, through a fine agricultural district which is settling very rapidly. Though some time on the Great Road system, but little has been done except by statute labour to the greater portion of it, the only part that is thoroughly complete being from the Town of Magaguadavic to the Second Falls, on an old Road that has been travelled for fifty years. This section of nine miles is now in very good condition, the Grants for the two last years having been principally used in rebuilding two Bridges, and repairing up the Road between these points. From the Second Falls to the intersection with the other Road at Lower Trout Brook, the

the whole distance has been cut out, and some portion is passable for wagons, the statute labour annually applied, improving the communication every year. The works generally are not difficult, and no important Bridges are required on this unfinished portion. In making out an estimate for next season, the same remarks apply to this, and to the two preceding Roads. When necessary to open them up, and make them equal to continuous through traffic, a special and sufficient Grant should be made to do this in one or two seasons at most; till this is necessary the local wants of the settlements are easily relieved, if one end of the communication is maintained in good condition, whilst statute labour keeps open the Road to each new settlement as it is formed. The present system is partial and extravagant, fails to do the work thoroughly, or render what is done a public benefit; holds out no stimulus to local exertion, and interferes with the application of statute labour. The amount necessary for this Road next year is £100, exclusive of any appropriation deemed advisable on the unopened portion.

No. 29.—*From Salisbury to Harvey.*—44 miles.

A liberal sum has been expended over the small Bridges, culverts, and road work generally on this line for the past season, and the whole distance is now in a very fair travelling condition. A new Bridge has been built over Turtle Creek, of a durable description, the abutments and stringers being of pitch pine, at a cost of £49. Many of the small Bridges might be built in this district with stone abutments, without any marked increase in expense. Improvements are needed by cutting down hills, and filling up the ravines and hollows, and in some places where the Road passes over marsh, a heavy coating of gravel is necessary to make a firm bed, and £50 is asked the next year to be applied to this purpose. One new Bridge is requisite, and repairs to three others. This, with the gravelling and ordinary repairs, is estimated to require £300 for next season.

No. 30.—*From Isaac Derry's to Point Wolf.*—25 miles.

The eastern section of this Road from F. Styles' to Bray's, near Cape Enrage, is now in a tolerably passable condition, but being over a clay bottom, and as yet ungravelled, it will require constant attention to keep it in proper repair. Good ballast is not easily obtainable, but much expense would be obviated if such as can be procured were spread over the worst places. The western section especially, from Salmon River to Point Wolf, about half the total distance, is very bad, never having had sufficient expenditure upon it to make it suitable for a carriage. This part is rocky and hilly, but if once thoroughly turnpiked would be durable and easily kept in repair. There has been one new Bridge built this season, over Anderson's Hollow; no further outlay will be necessary for some time, either for new Bridges or heavy Bridge repairs, so that unless they are injured by accident, the whole of next year's expenditure will be made available for the Road improvements, which are very much wanted. The estimate for this purpose is £200.

No. 31.—*From Saint John to Crooked Creek, County Albert.*—73 miles.

This Road was originally laid out for the settlement of immigrants, and its location to secure the most favourable alignment was less an object than the means of opening

up a new country for cultivation, leaving all improvements or alterations to be made when the advanced state of the District should render thorough and easy communication a matter of more importance. Up to the present time the expenditure has been confined principally to the erection of Bridges, and the opening up of the route for carriages, but little surplus remaining for any improvements not strictly necessary for this latter object. The greater part of the distance is therefore still very unfinished, many miles have never been turnpiked or made passably smooth, and before the Road can be at all equal to the travel likely to come upon it, a greater portion will have to be remodelled, long deviations made to avoid the hills, and extensive improvements and alterations in almost every portion. The establishment of a Mail on this route between Saint John and Albert, requires these repairs to be attended to at once, and as all the Bridges but one are now in a tolerable state, nearly all the expenditure for the next two or three years can be made to tell upon the improvements of the Road. The amount required to complete this to a fair travelling condition will be from £3,500 to £4,000, and without this sum is applied in a more systematic manner than has heretofore been the case, a great portion of it will be wasted and consumed on portions of the line that will subsequently be abandoned, and in the removal of rocks, excavation of hills, and filling up of swamps, that a simple deviation might altogether avoid. The Chief Commissioner would therefore suggest, with this and other unfinished Roads similarly situated, that before any portion of this outlay is incurred, a thorough examination and careful resurvey of the whole Road should be made, the deviations staked out, and separately estimated, and that none but the most urgent repairs should be put upon any portion likely to be superseded or affected by them; reserving for your Excellency's decision what portions and how much of the new Road should annually be undertaken. By this means much useless outlay will be saved, and the line brought much sooner and more economically into an efficient and satisfactory condition.

During the past year a new Bridge has been built over Beard's Brook, at a total expense, including land damages, of £208; and a piece of new Road has been opened and turnpiked round the Four Mile Hills (so called) in Saint John County. Between Wallace's and M'Manus's, 6 miles, near the King's County Line, the Road was only opened ten or twelve feet wide; this portion has been widened and turnpiked; and in Albert County the expenditure has been laid out entirely upon the Road, though it is as yet scarcely passable for a carriage. Next season a new Bridge will be required across Crooked Creek, to supersede a pile Bridge which, though only ten years old, is in a very precarious state, and will probably be destroyed by the next spring freshet. The estimate includes £300 for this purpose, and £300 for the use of the Road, besides any sum that it may be desirable to expend upon its permanent reconstruction after the surveys have been made and the alterations determined upon.

No. 32.—*From Saint John to Quaco.*—30 miles.

Last summer the Botsford Mill Road, commencing at the Forks near the Aboideau, at the City Line, and meeting the old Road at Bartrim's, was for the first time included as part of this, having been adopted by the late Chief Commissioner as a portion of the Great Road between Saint John and Quaco. About £100 has been expended upon it, and as it is in very bad condition it will require £250 to put it into good order.

The wharfed Road round Vaughan's Creek Head in Quaco, has been extended this year

year at an expense of £28, and it will require £100 more to complete it. It is twelve feet high, on the side next the Bay, and 28 rods long, built up solid with wood against the water, brushed and filled with stone. A Bridge has been also built over Garden's Creek, at a cost of £25, and other improvements made at a cost of £100, the Road being now in a very fair state of repair. The estimate for next year, exclusive of the Botsford Mill Road, includes the completion of Vaughan's Creek, repairs to two small Bridges, and general outlay on the Road, altogether amounting to £250.

No. 33.—*From Hampton to Bellisle.*—8 miles.

This Road has no Bridges upon it of any size, is in general good order, and the annual Grant of £25 is sufficient to maintain it in the same condition.

No. 34.—*From Scribner's to the Head of Bellisle.*—25 miles.

There is only one Bridge on this line, which, with the Road generally, is in very good repair; £50 will be sufficient for all purposes next season.

No. 35.—*From Nerepis to Gagetown.*—23 miles.

The whole of last year's Grant having been expended in repairing the Road, it is now in very fair condition, but the Bridges are not in good order, and next season the one over Queen's Brook must be rebuilt. The present one was reported unsound before, and is now quite decayed. It will cost £125; the foundation is bad, and the approaches expensive, the ground being a soft intervalle, and the River altering its channel continually. Total requirements, with the Bridge, £175.

No. 36.—*From Fredericton to Jemseg.*—30 miles.

This Road is subject annually to overflow from the spring freshet, which occasionally inflicts serious damage. Last season this past off very quietly, and the outlay accordingly in repairs has been small. One old Bridge has been improved, and the rest of the Road is in as good condition as from the nature of the ground can be expected. The requirements for the next year depends entirely upon the amount of injury occasioned by the freshet, but if no more mischief occurs than the last season, £100 will be sufficient for all purposes. The Easty Creek, at present crossed by a floating Bridge, has been the subject of a Report by Mr. Wilkinson to the Board of Works, who after carefully examining the place, recommends a permanent water-tight dam, of sufficient width and solidity for the support of the roadway and to resist the action of the freshets. The estimate for such a work, made entirely of large timber, is £850, if masonry is preferred, £2,500.

No. 37.—*From Jemseg to the Finger Board.*—29 miles.

This Road is now in very good repair, the expenditure last year having been applied judiciously. During the season one new Bridge has been built over Foster's Mill Stream, and upwards of forty new culverts put down. These are all alike, built with hemlock mud-sill below the water, and tamarack or pine above. These are crossed by tamarack stringers, let in 2 inches on to the walls to keep them apart, and crossed with poles of the same material, sided and hewed, and the Road on either side levelled off

off to the same height. These culverts cost from 10s. to 12s. 6d. each, will probably last twenty five years, and in a district where no stone can be obtained, are undoubtedly the best substitute. The old culverts consisted generally of four logs thrown together, were always unsafe for horses feet, and their average durability might be four or five years. The Bridge built over Bellisle in 1855, has three spans of 40 feet, and one 36 feet long. They are unsupported by any description of truss, and are altogether too long, weak, and vibratory. The stringers are laid upon their corners, and the piers are built in the form of a diamond up and down stream. The material is principally hemlock, and the Bridge altogether of doubtful stability. One small Bridge over a Millstream will be necessary next season, and a portion of the Road requires skirting, the estimate for all purposes being £150.

No. 38.—*From Cole's Island to Cape Tormentine.*—40 miles.

This Road has not been many years on the Great Road establishment, and was at that time in a very imperfect condition. Since then the annual appropriations have not been sufficient to overtake the repairs, and the foundation is generally so soft and marshy that, without thorough macadamizing, the thaws will damage it every spring. There are a number of small Bridges on the line, costing from £5 to £15 each, which are old and decayed, and the renewal of these will be the principal requirement of another season, as it has been of the last. To put the Road in thorough repair would involve a heavy outlay, and before this is attempted the line should be resurveyed, as recommended before; for present purposes £100 is sufficient.

No. 39.—*From Fredericton to Kent County Line.*—56 miles.

This is a new Road, scarcely as yet passable all the way for wagons; the land is generally very good, and well settled; the travelling increases every year, and when completed, this Road will be a great boon to the district through which it passes. From Fredericton to Queen's County Line the Road in many places has a hard rocky foundation, and in its original construction large stones were left undisturbed, and endangered the travelling. During the summer a party was collected, and the whole of these have been removed; and the Road, though not yet turnpiked all the distance, is in a very passable state. The Bridges are in good condition, and one new one across Burpee's Mill Stream has been built, and completes the communication so far. From Sunbury County, through Queen's to Kent County Line, the Road is not yet in such a forward state; but no Bridges having been required last season, the whole of the Grant has been expended in improving and completing the thoroughfare, and has opened it for several miles, where before it was impassable for wagon traffic. There still remain nine miles to turnpike and two small Bridges to build, to render this portion of the route thoroughly available, which it is estimated will require £300 to complete. The total requirement for next year, to put this line in a position equal to the value of the district through which it runs, to complete the cross-water drains, and turnpike the whole distance, is £450. When open through to Richibucto, this will be one of the most important through communications in the Province, connecting the Gulf Shore with the Valley of the Saint John, and intersecting the country about equidistant between the Fredericton and Miramichi Road, and the Saint John and Shediac line. Opening up a country but little inferior in agricultural value to the latter, and better

better than the former, it crosses in its course no large Rivers like the others, requiring heavy expenditure to make and maintain a thoroughfare, and is less liable to accident from freshets, or interruption from the destruction of its Bridges or roadway.

No. 40.—*From Kent County Line to Richibucto.*—44 miles.

This Road, an extension of the last, and completing the line from Fredericton to Richibucto, is, it is understood, in a very imperfect condition, but from the late date that this Commission has been formed, no opportunity has offered of any member of the Board personally examining the route, and the Supervisor has not deemed it a part of his duty to reply to the communications addressed to him from this office, or to make the usual annual Report of the state and prospects of the Road. From the accounts transmitted to the Auditor it would appear that £510 has been expended this year, which at £12 per mile ought to have produced a marked improvement on a Road only 44 miles long, with no important Bridges, and no unusual difficulties to contend with along its entire length.

These two Roads Nos. 39 and 40, which in reality form only one line from Fredericton to the Gulf Shore, were for some years under the supervision of John A. Beckwith, Esquire, under whom the line was nearly completed from end to end, and who reported in 1853—“In October last I was enabled to travel in a wagon from Fredericton to the Gaspereau, (about half way.) From the Gaspereau to Pine's on the Richibucto, (about 30 miles) on horseback, and in a wagon from Pine's to the Town of Richibucto.” Since Mr. Beckwith left the Road, it has been generally under two, and last year under three Supervisors; and Mr. Sowerby, the Supervisor of the Kent County division of the line, in 1855 reports that “the dishonest way in which contracts for turnpiking have been performed would appear to suggest the necessity of dividing any future Grant made for the Kent portion of the Road, and appointing two Supervisors, (making four on the whole line) one at the Salmon River side of the County, and one at Richibucto, the present state of the Road rendering it impossible for one at either end to give it that necessary supervision that it requires.” The expenditure during the last five years has been under five different Supervisors, the Grants have been £4,750, or nearly £10 per mile per annum, and the Road is evidently in very much worse condition than it was five years ago, the whole forming a very melancholy prospect of completing the communication under this “divided command.” Mr. Sowerby's being the last information that has been afforded as to the state and requirements of the Road, it is really impossible to form an estimate for the ensuing year; and as the expenditure on this line has hitherto far exceeded the average of the rest of the Province, and the Road apparently becoming worse under its present management, it remains for your Excellency to determine the best course to be pursued.

No. 41.—*From Tilley's Landing to Little River Mills.*—12 miles.

This Road, with the exception of two miles of intervals, is in a very satisfactory and efficient condition. Two Bridges have been repaired this season, and will last for two or three years longer; the rest are in a good condition. A portion of the last Grant has been applied to repairing the Wharf at Tilley's Landing, at the Saint John River end of the Road, which is described afterwards. For next year a portion of the intervals ought to be turnpiked and gravelled, and the estimate for ordinary repairs, and to do this gravelling, would be £150.

No. 42

No. 42.—*From Sussex Vale to Upham.*—12 miles.

The expenditure the last season has been entirely on the repairs of the Road, which is now in a very fair state. Next year a new Bridge will require building over Jeffries' Mill Stream; and a rampart or embankment is wanted to raise the bank of the Stone Quarry Brook, and prevent it flooding the Road, which it does nearly every year. The estimate for this embankment and for the Bridge at Jeffries, is £75, and the total requirement for the Road for next year, including these, will be £150. There is a deviation in Sussex Vale that it would be desirable to make, to avoid a very bad hill; the expense of this, when it is undertaken, will be about £50. It is not recommended for next season, unless the sum above mentioned should be found sufficient for all purposes.

The preceding Roads therefore will require, for the year 1857, the erection of thirty five new Bridges from £25 to £350 each, at an estimated expense, including repairs to twelve others, of £5,705. The ordinary repairs to the Roads and Bridges is estimated to amount to £8,395, making the total amount required for the Great Road service for 1857, £14,100. The details of this amount are collected in Appendix B, and referred to in the preceding Road Reports. Exclusive of the Bridges included as above, the large structures over the Tantamar, the Tabusintac, Caraquette, Eel River (in Restigouche County,) and Easty Creek, amounting to £5,400, will probably be required; and the Magaguadavic, Sullivan's Creek, Oromocto, and Hampton Ferry, now in hand, will require £3,825 to finish, making £9,225 for large Bridges, exclusive of Road service. Some of these may not be built or finished this year, and others not known or expected to fail at present, may be required almost immediately. The estimates for the Dredging Machine, for the Improvements of the Rivers and Harbours, for the Light House on Grindstone Island, and for the Public Buildings and Wharves, as well as for opening up new Roads, or completing some of the old ones, is left to your Excellency's decision, as involving questions not within the control of the Board of Works.

BRIDGES BUILT BY THE BOARD OF WORKS.

No. 1.—*Sullivan's Creek.*

The Contract let last year to Mr. Pattinson for the erection of this Bridge having been given up by him, it was relet after some delay to Mr. Tomlinson on the 1st of October, for £3,000 and the old plant. There were then about fifty yards of masonry in the culvert, and nearly forty three thousand yards of excavation to do, some change in the original design, which rather increased the quantity, being deemed necessary. Mr. Tomlinson commenced work on the 10th of October, and up to the 11th December, there had been eleven thousand five hundred cubic yards of excavation removed, and about half the required quantity of masonry was complete. The southern approach is finished, except dressing off, and the Contractor's main force has been since directed to the removal of the heavy bank on the north side. From the nature of the work, the force of men cannot be increased beyond a certain number, but there were at that date sixty five men employed, and the excavation was progressing at the rate of three hundred

hundred yards per day. A ledge of rock containing about two hundred cubic yards has been cut through, and the material has since been a hard gravel in the bottom, becoming fine and less compact as it approaches the surface. It will take some time for an immense bank like this to consolidate sufficiently to put on the permanent hand-railing, but it will be finished sufficiently to let the travel across it by the end of next May. The time of the year is however unfavourable for earthwork, and operates heavily against the Contractor. The total length of the improvement is one thousand seven hundred and eighty six feet, the greatest depth of cutting is forty one feet on the north approach, and the maximum height of embankment over the centre of the culvert is sixty four feet. The total cost complete will be £5,500, including payments to all parties.

No. 2.—*Missiquash Bridge.*

At the date of last Report, this Bridge was nearly finished, and on the 16th of September 1856, it was examined and reported upon by Alexander Light, Esquire, previous to acceptance by the Provinces:—"The masonry has been finished in extremely good style, and the work generally done according to contract. Southern pine has been substituted in the whole of the truss-work at an extra expense of £129 8s., and some other extras for iron, &c., increase the total cost of the Bridge to £983 8s." One half of which sum is due to this Province from the Government of Nova Scotia.

No. 3.—*South Bay Bridge.*

The arrangements and contract for this Bridge were made in 1855, to be finished by July 15, 1856. With trifling alterations it is a copy of the old one, and immediately parallel. It is 406 feet long, or including abutments and approaches 730 feet, containing nine piers and ten openings of 24 feet each. On the stringers are laid transversely cedar poles, brushed and covered with ballast. The specification has not been strictly adhered to in many respects, and some of the cedar logs in the piers and approaches were as first put in not quite sound. In 1854 Messrs. Light and Wilkinson made a Report and Estimate of the cost of this Bridge, amounting to £1,140; but the plan was subsequently altered from a pile Bridge, as recommended by them, to piers, as mentioned above. The alteration has not been an improvement, and the Bridge in its present state will not probably be so durable as the one it supersedes; its total cost will be about £950.

No. 4.—*Hampton Ferry.*

This Bridge was contracted to be finished by the 1st of November last, but from delay in getting the timber, and a variety of causes, has not progressed so rapidly as was expected. On the 21st of November last a serious accident occurred, still further delaying the completion of the Bridge, destroying the timber in one of the heavy framed chords, killing two of the workmen, and seriously injuring two others. This unfortunate affair will prevent the opening of the Bridge probably till next June or July, as new timber has to be procured at a time when it must of necessity be hauled a long distance. This it is understood has been procured, and will be brought on to the ground as soon as possible. Of the embanked approaches about 7,000 yards remain to be finished, including the filling of the abutments, but as this can be finished

before

before the woodwork, operations for the present have been stopped on the earthwork. The planking of the piers and lining the abutments is the only description of work at which the men are now employed.

No. 5.—*Hammond River.*

This Bridge was nearly finished at the date of the last Report, has since been completed, and reflects great credit both on the design and execution.

No. 6.—*North West Miramichi.*

This Bridge was constructed by a chartered Company on certain conditions of sale to the Province, should such a course be deemed advisable. During the season the transfer has been effected, and the Bridge thrown open to the public free.

The total length is 1,360 feet, containing nine bays of 80 feet span, and one of 30 in which it is proposed to have a Draw, when such is necessary. The abutments extend 170 feet from the north shore, and 280 feet from the south, consisting principally of large sized cedar, floored, ballasted, and gravelled over. The piers, which are mostly in from 24 to 26 feet water, are 30 x 60 at the base, and 20 x 40 at the top; in each pier are two floors, loaded altogether with about 50 tons of stone ballast, and well secured. The truss is supported by double Queen-posts, and the floor is of five-inch hewn timber. The total cost of the whole structure has been nearly £5,000.

No. 7.—*Musquash.*

This Bridge was originally destroyed by the freshet of 1854, which also carried away or damaged five other Bridges on this line of Road, between Saint John and Saint Andrews. The old materials of the Musquash Bridge were collected, and a temporary Bridge was built, which answered till the last spring, when the whole was lifted by the ice from its foundations, and at ebb tide settled down bodily. On the 20th of March, Mr. Tomlinson examined the place, selected a site for the new Bridge, and undertook to build one for £750, before the end of the season. This has been done, and the Bridge opened to the public. It consists mainly of three openings, the central space being a Draw of 40 feet span, with a bay on each side of 30 feet. The abutments and piers are necessarily very high, this being a tidal river, and as the Draw is seldom used excepting at high water the tail of the Draw Bridge, which answers for a balance weight, requires to be kept clear of the rising tide. The earthen approaches were, from their height, expensive, and are included in the contract, and with preliminary expenses and temporary arrangements for the traffic, the whole expense of the new Bridge has been about £800.

No. 8.—*Oromocto Bridge.*

On the 1st of November 1856, an examination was made of the Bridge across the Oromocto, which was found to be in a very dilapidated condition, and plans and estimates have been made for a new one. The River is 233 feet wide, with an average depth of 20 feet at low water, and the approaches, especially on the north side, are long and expensive. The plan for the new Bridge comprises a Draw in the middle of the stream, opening 45 feet, and four bays on each side of 30 feet each, making altogether

altogether nine openings, and a total length of Bridge of 285 feet. The approaches will be solid embankments, riprapped with stone to prevent washing, and the general arrangement of the piles, truss-work, and Draw, are similar to the Trout Creek and Musquash Bridges. On the 29th of December a contract for the whole of the timber, piles, and planking necessary for the structure, was let for £435, to be delivered at the site of the present Bridge before the 16th of May 1857.

These comprise all the Bridges on which there has been this year any expenditure by the Board of Works, the Accounts of which have been kept distinct from the Great Road appropriations. Other Bridges built out of those Grants, will be found, with their cost and principal dimensions, in the description of the Roads, and in Appendix D.

The total number of Bridges now on the Great Roads, costing upwards of £25 each, is 470; others costing probably more than this sum are not included, as the particulars of their construction, price, age, and so forth, are not known, and others have been built by statute labour, of which no account has been taken. The 470 Bridges have cost, as nearly as can now be ascertained, £126,760, this amount being generally clear of all expenses for the approaches, preliminary charges, or management, and often of special appropriations, incidental assistance, and statute labour. Adding 20 per cent. for supervision and extras, the total cost of the Bridges now in use has been little, if any, under £150,000, or an average of about £300 each. 180 of these Bridges, costing, with supervision, about £42,000, are now upwards of ten years old, of perishable material, and shewing more or less signs of decay; and as many of these are temporary structures, and must be replaced by longer and more expensive ones, to rebuild these Bridges on the present system, and in the most economical manner, will require for the next five years over £8,000 per annum. This is exclusive of Bridges under ten years of age, but which already shew such manifest imperfections, as to make it doubtful how long they may survive, and it is exclusive also of the damage sustained by freshets, ice-jams, or other accidents, which, judging by past experience, would seem to cause about 25 per cent. of the total outlay. Adding therefore a moderate sum for these contingencies, and allowing for the decay of Bridges before the assumed period of fifteen years, the expense of this portion of the Great Road service will be at least £12,000 for the next five or six years. This sum, heavy as it undoubtedly is, is not more than the average of the last ten years; four-fifths of those now standing having been built within that period.

The total length of Bridging, including the approaches, which are generally planked and hand-railed, is about 112,000 feet, or over 21 miles; and dividing the original cost and annual expense of renewals by this number, the average cost of construction will have been £1 6 8 per foot run, and the charge for renewal 2s. 1d. per foot per annum, giving the present durability of the wooden Bridges throughout the Province an average of little over 12½ years. The repairs to these Bridges are generally confined to the superstructure or planking, their rapid decay seldom requiring or receiving any attention to the abutments or underworks; and if the annual expense of renewals seem extravagant, the cost of repairs and replanking on Bridges whose average life is so short, must seem equally unreasonable. Over 70,000 feet running are covered with hemlock or spruce planking 3 or 4 inches thick, and costing on an average, secured in its place, about 5s. per foot in length of the Bridge. This flooring will last

about six years, often not over five, and requires renewing generally twice, and always once in the short life time of the Bridge, costing £1,700 annually to keep up under 14 miles of flooring, exclusive of its total renovation every twelve or thirteen years. If to this is added the cost of hand-railing, new stringers, and other repairs, the total expense for maintenance amounts to about £2,700 per annum, or 5d. per foot on all the Bridges in the Province; making the actual average cost for repairs and renewals, over all the Roads, about £14,000 per annum, or 2s. 6d. per foot run.

Some of the Bridges built the last year or two, (exclusive of the new ones by the Board of Works,) have been of a superior style of workmanship, and on one or two of the Roads a system of durable and permanent work has been partially carried out, but these isolated attempts, reflecting great credit upon the individual Supervisors, scarcely affect the average throughout the Province, and show not so much any improvement in the character of the bridging generally, as what may be obtained when a system is introduced and worked to. Even in some of the best of these, there is an evident want of calculation and design, and some small saving, or ill-devised portion, detracts from the value of the whole, and perhaps injures its permanence and utility. Some of them are approached by descents so frightful, and round curves so sharp and dangerous, that the Bridge only answers half its intended purpose, and others, as the one over the Main South West Miramichi, have an expensive and durable super-structure placed on abutments so badly designed that the existence of the whole is endangered.

A great variety of wooden Bridges have been built in one part of the Province or another, and much experience has been gained respecting their construction, cost and materials, but no system has been adopted by which these results have been perpetuated, or registered for future reference; and it is with the greatest difficulty that the past history of the Road and Bridge making can be traced. As far as regards the materials at hand, few parts of the world would appear to be much better situated; and with very slight addition to the present outlay, permanent abutments of granite, or durable ones of cedar, can generally be secured. With a view to reduce the cost of granite to the lowest possible figure, quarries might be opened in different parts of the Province, and contracts let for the quarrying and dressing the stone, ready for the Contractors, who would be required to take it for their Bridge contracts at a certain price. This was the system adopted by the Grand Trunk Railway in their large stone Bridges in Canada. The extra haulage to some places being more than made up by the saving in opening quarries for every individual structure, by the quality of the stone procured, and by the time saved in having the dimensioned blocks ready whenever required. The granite ridge that crosses the Province from Saint Stephen through the centre of the County of York, presents a most valuable building material, and the experience of the Waweig and Sullivan's Creek Bridges show that, without chisel dressing, large squared blocks can be procured of almost any dimensions. By having a supply of stone beforehand, letting contracts in the autumn and winter instead of the spring, so as to secure the benefit of haulage on the snow, it is believed that every Bridge in the Counties of York and Charlotte might be furnished with granite abutments for £1 10s. per cubic yard.

In other places where stone cannot be procured, autumn contracts would be equally advantageous to those seeking good winter-cut timber, the haulage be reduced, and the

the material of very much more durable character. Cedar abutments, and for short spans, cedar stringers, are next to stone the most durable, and in many localities, from the nature of the ground in which cedar generally is found, this, unless when the ground is frozen, cannot be procured excepting in small and insufficient quantity. Culverts and earthen embankments, as at Sullivan's Creek, whenever practicable, should be employed. By winter haulage for all the materials requisite to make a commencement, and by having the stone ready at the opening of the spring, the average cost of these works will not exceed by fifty per cent. the present race of tumble-down hemlock Bridges usually found across the ravines, particularly practicable for culverts. With respect to the additional cost of permanent work over temporary, Sullivan's Creek may be instanced, where the same improvement, but with a wooden Bridge, would have cost within £1,000 of the present structure. Deducting the expenditure on the improvement of 1,450 feet of Road on the north side of the Bridge, the absolute cost of the embankment and culvert will have been under £4,000, whilst the old hemlock Bridge, without approaches, cost £2,000. It was built in 1841, and has been unsafe for two years. From ten to fifteen years is the life of all these large wooden Bridges, and to renew such a structure worth £2,000, requires the annual deposit of a sinking fund :—

| | | |
|--------------------------|----------------|------|
| To renew in 10 years, of | 8 per cent. or | £160 |
| Do. 12 " | 6 " | 120 |
| Do. 15 " | nearly 5 " | 96 |

Taking fourteen years, which is beyond the average, a sinking fund of £100 per annum, with accruing compound interest, forms a first charge against a wooden Bridge to provide for its renewal. During that period, it will twice require replanking, if spruce, as at present, is employed, at a further cost of £200, which spread over fourteen years, requires £14 per annum for the flooring, and iron spikes, cramps, new stringers and handrailing, will bring this up to £20—making £120 for repairs and renewals, which is the interest on the additional £2,000 that the permanent embankment has cost. Besides these certain charges against the wooden Bridge, which brings up its expense to the full cost of stone, there is the risk of accident from fire, of its falling, or being carried away by freshets or ice-jams, the washing out of the underpinning, and subsequent settlement of the superstructure, the continual apprehension of some unseen agency or decay, and the liability to which all foundations in the neighbourhood of water are more or less liable, change in the channel, or undermining of the foundations, from any accidental or unforeseen diversion or impediment. To a country seeking settlement, any cause affecting the permanence and value of property is a matter of more importance than two or three per cent. in the amount of the outlay that secures it, and nothing is so injurious as the apprehension of some catastrophe that may interrupt the communication, or lead to a diversion of the thoroughfare. The permanent works of a country are its value in the eyes of the world, and temporary expedients, however numerous, give a fluctuating and temporary value, but no genuine advancement or intrinsic progression. Were Rivers and Railways deviated, removed or obliterated as easily as these half-established Roads and decaying Bridges, their value in increasing the prosperity of a district would be as trifling as the latter, whilst the permanent and expensive Bridges that fix the locality of a thoroughfare, and keep open a communication in a certain unalterable channel, like the other avenues of commerce,

merce, retain some portion of the business and activity that they have given rise to, and impart a value and importance to their frontage, equal, if not superior to the others.

With respect to the durability of stone work as affected by the climate, the oldest stone bridge in the Province, over Phyllis's Creek on the Road hence to Woodstock, built in 1810, was widened in 1838, when the old work was found perfectly good, and this year old and new seem equally substantial. Where stone cannot be procured, cedar, especially in winter, generally can, and the Bridges on the North Shore, and others alluded to in the description of the Roads, show how extremely cheap and efficient wooden Bridges may be made. The old growth of hachmatac is also extremely durable, and for planking, the additional expense over spruce is nothing to the economical difference in value. With respect to planking, when such is necessary, the cost of hemlock and spruce is so nearly equal to pine and tamarack in many parts of the Province, that the former should be very sparingly employed. The use of four instead of three inch plank, as on some of the later Bridges, appears to be attended with but little advantage, the wood decaying before it is worn out. Nor does even the enclosing of the Bridges with a roof appear to be any great protection to the spruce flooring; the Renous River Bridge, floored with four inch spruce and covered at the top, has been built under six years, and requires re-flooring next spring. The cause of this rapid decay in this and other covered Bridges, may be principally due to the roof affording a refuge in summer for all the vagrant cattle of the district, who make this their shelter by day and their bed at night, increasing the danger and difficulty of travelling through them, and keeping the floor in a perpetually dirty and offensive condition. As an improvement on spruce, the Arestock Bridge built in 1848, and covered with four inch spruce, was sheathed with tamarack in 1855, which will probably last out the Bridge, the abutments of which are hemlock. The relative expense of re-covering this Bridge, 490 feet long, was estimated at £136 for spruce, and £148 for tamarack. One of the Bridges built between Saint John and Nova Scotia this year, over the Mill Stream, 42 miles from Saint John, has been planked with white pine. But few Bridges in this Province have been so covered, though in Canada its use for this purpose is almost universal. On the Road from here to Woodstock, Long's Creek and Dow's Creek Bridges were planked when first put down with three inch pine. The latter stood fifteen years, and the former of the same age is still in use, though the Bridge itself is very much decayed. The Digdeguash Bridge between here and Saint Andrews, built the year before Long's Creek, has had three coverings of hemlock plank, and if not rebuilt next year will require a fourth. Probably the best covering that has hitherto been employed is the simple flooring of round cedar poles, bushed and gravelled as on the North Shore Roads, and the only disadvantage attending it for long spans is the great weight of material, and consequent injurious strain thrown upon the abutments and stringers. This was undoubtedly the cause of the subsidence of the old South Bay Bridge, and is an objectionable feature in the new one at the same place. A lighter flooring of gravel and lime, of cement or asphalte, would be a great improvement, and if generally employed, its original cost would be no more than the present planking, be much more pleasant and safe for travellers, and save the Province probably £2,000 per annum in repairs.

For the stringers that cross the openings between the abutments, and on the strength and firmness of which the safety of the travelling depends, and for the truss work employed

ployed to carry these stringers when the span exceeds 25 or 30 feet, the best timber at present employed is probably white pine. The Missiguash, and a few Bridges in Westmorland and Albert, have been built of Southern pine, the expense of which would, however, prevent its general adoption throughout the Province. Of late years much attention has been bestowed upon wrought iron as a substitute for wood for this purpose, and in certain situations there is no doubt that light iron girders from 60 to 100 feet span, can be produced cheaper than any timber that would be admissible in the same situation. Independently of its durability and cheapness, the light lattice girder forms the most efficient hand-rail, and the details being always above the roadway, and in sight, no accident can occur without being at once detected. For a 70 foot span, a pair of wrought iron girders, capable of bearing 20 tons in the centre of the opening, or 40 tons equally distributed over the span, would weigh about three tons, and cost probably, complete, under £2 per running foot, which is about the same as the present Queen-post truss with the usual white pine timber, and less than when pitch pine is employed. An additional advantage of these girders would be their strength, which would permit the employment of a concrete flooring without any injurious or dangerous strain to affect the safety or durability of the structure.

The undersigned has already suggested to your Excellency, a revision of the system of management under which the Great Road establishment has grown to its present magnitude; and without wishing to detract at all from the merits of those who have previously been engaged in this work, has felt it a duty to point out some of the inconsistencies and failures that have been perpetrated, as shewing the necessity for a more economical and scientific arrangement. In advocating the employment of salaried officers, acting immediately under the orders of the Board of Works, it is believed that this is the only system by which much that is at present wasteful and extravagant can be prevented. A similar suggestion was offered to your Excellency by the late Chief Commissioner in his Report for 1855; and as far back as 1840, in his opening Speech to both Houses, Sir John Harvey, the then Lieutenant Governor, expressed his opinion very strongly in favor of committing the "Great Roads" to the care of salaried officers "as the best mode that has occurred or been suggested to me, to insure uniformity in the system of their construction and repair, as well as economy in the outlay connected with this very important branch of the public expenditure."

The estimates for each separate Road, in the previous Report, are exhibited at one view in Appendix B, and are exclusive of the expenditure on such large Bridges, as since the appointment of this Board, have been excepted from the Great Road service of the Supervisors. Should no such appointments be made for the ensuing season, some one or two of the Roads may not require so much as this estimate, the amount being partly to guard against accidents that may not occur, and the correct and equitable apportionment of the Grants on many Roads being dependent upon unforeseen contingencies.

DREDGING MACHINE.

The Dredging Machine began to work on the Grand Lake Shoal on May 7th 1856, where the work had been suspended the year before, and up to the 7th of July excavated 25,380 cubic yards. At the end of the last season a channel had been cut 1,200

yards long, 35 feet broad, and 12 feet deep. This has been widened 25 feet, making now a total breadth of 60 feet for that distance, and in addition, the channel has been lengthened 600 yards by a breadth of 35 feet, further into the Lake; the whole distance of upwards of a mile through the Shoal being now passable for boats drawing 11 feet water. To complete this work, that part of the new channel cut this year should be widened to the same dimensions as the other, viz. 60 feet, and the whole cleared out to 12 feet deep. The material removed was yellow and blue clay, and there does not appear to be any great tendency to deposit mud or sawdust; and if the whole length is made uniform, so as to secure the scouring action of the outflow, what has been done would probably be permanent. During the year the boats have been enabled to pass and repass freely without interruption or discharging part of their cargo as heretofore.

The Dredge was subsequently removed to Fredericton to clear out the wharves and deposits near the shore, and took out 2,850 cubic yards principally of mud. Some extensive repairs were put upon the hull and machinery at this time, and on the 5th of August the boat was removed to the Oromocto Shoals, where it worked till the 1st of October, and again from the 24th of October to the 10th of November. During this period 33,070 cubic yards were excavated, cutting a channel 450 yards long, 80 feet wide, and 15 feet deep, across the principal bar. The Oromocto Shoals consist of a series of bars stretching across the River, and extending for about two miles down the Saint John, one half of which distance will require to be dredged. The material is a fine white sand admirably adapted for building purposes, deposited to a depth of from 5 to 7 feet, on a substratum of blue clay. As this sand will only stand at an angle of 1 to 5 under water, it would seem to be desirable to excavate a channel through all the bars, say 200 feet wide, and 15 feet deep at low water, when in all probability, the River, instead of silting up, will rather have a tendency to scour the channel and keep it permanently open. The causes that originally formed these deposits in the Saint John being still in operation, and the material itself so light and unstable, any remedy short of a complete thoroughfare for the ebb-tide would seem useless and unsuitable. From the 1st to the 21st October, the Dredge was employed at Fredericton in cutting a channel for the ferry boat across the River, and in this service removed 10,380 yards from a series of sand bars formed below the mouth of the Nashwaaksis, on the east side of the Saint John. The total number of cubic yards excavated during the season of 158 days, has been 71,680 yards; and the total expense up to the 25th of November, when the boat was laid up, will be about £1,300 or a trifle over 4d. per yard.

Included in the repairs of the Machine for this year, is about £150 expended in improvements and alterations, in raising the main shafting and changing the position of the bucket ways, to increase their capacity and improve their action. These alterations, removing the Dredge from place to place, breakages and delays, occupied 25 days, leaving the total number of working days 133, and an average of 539 cubic yards per day excavated.

Another heavy expense, amounting to nearly £100 for the season, has been the cost of towage, which for the future may probably be reduced. The purchase of a new Scow, amounting to £77, is also included; but as a set off against these extraordinary charges, the cost of wintering the machine, and repairing during that time, must be added

added to form a correct estimate of the expense; and taking into account the favorable nature of the work on which it has this year been altogether employed, and the present good condition of the hull and machinery, it must be regarded as below what may be expected as the average expenditure. For next season the estimate of £10 per day for 150 working days, or £1,500, is made under the supposition that the Dredge is required for the same description of work as the last, and constantly employed. When interfered with by the tide, or needing additional labor in scowing the material away after excavating, it will cost more; and if employed at the private wharves in the City of Saint John, the price charged should include, besides this, a sufficient amount to cover the interest and depreciation of the Machine.

RICHIBUCTO HARBOUR.

A Contract was let last year by the Chief Commissioner to Messrs. Holderness and M'Leod, to deepen the Bar at the Mouth of the Richibucto River to 13 feet at low water, the Contract specifying that no part of the sum should be paid till the whole was completed to the satisfaction of the Government. During the season, it is understood that considerable dredging has been done, and that the depth of water on the Bar has been improved, but no official notification has been made to the Board, and nothing has been paid on account of the work.

ERECTION OF LIGHT HOUSES.

No. 1.—*Miscoe Island.*

On the 25th of August 1855, a contract was taken by Mr. James Murray of Newcastle, to erect a Light House, Keeper's House and Wood Shed, on Miscoe Island, to be completed by the 1st of September 1856, for the sum of £1,220, exclusive of the Lantern and its fixings. The latter did not arrive from England before the 10th of October, at which time everything was ready for its reception. On the 1st of November, Mr. Hay, the Keeper of the Escuminac Light, was sent by the Commissioners of Light Houses of the Gulf of Saint Lawrence, to examine the work, and found everything in excellent order, and gave a certificate accordingly. The Light was put into operation by Mr. Hay, and lit for the first time on the 4th of November, and proves to be a most excellent one. The total expense of the Light House, Lantern, and everything complete, will be about £2,200, some small claims being included that have not yet been adjusted.

No. 2.—*Grindstone Island.*

Nothing has been done during the last season towards the erection of the Light House on this Island, for which an Appropriation was made in the Session of 1854: the delay being caused by the difficulty of obtaining a satisfactory title of sufficient ground for the purpose.

SAINT JOHN RIVER IMPROVEMENTS.

Last Session an Appropriation of £1,500 was made for the Improvement of the River Saint John, in continuation of similar Grants spread over the preceding six years.

years. Since 1853, this expenditure has been under the immediate supervision of Colonel Malauchlan, who has bestowed great time and attention to the subject, and undoubtedly produced a great improvement in the Navigation; his Report on this service for the last year, forming Appendix E, contains some valuable statistical information, and elucidates the general principles upon which the operations have been conducted. To complete the improvement undertaken by Colonel Maclauchlan would not require very much further expenditure between Fredericton and the Grand Falls, and a Grant of the same amount as the last year, continued for two seasons more, would probably produce as perfect a navigation as can be obtained without the expensive appliances of locks and draws, as upon the Saint Lawrence and other Rivers.

In addition to the operations under the superintendence of Colonel Maclauchlan, a sum of £119 16 9 has been expended in blowing off a portion of the Split Rock (so called) at the Grand Falls. It would require £125 to complete the removal of this rock, the service is attended with danger to the workmen, and there is only one particular state of the water at which it is at all practicable. The Grand Falls would appear to be too serious an obstruction to be materially improved by any small appropriations, and unless some comprehensive application of slides, dams and sluices is undertaken, this isolated and unsystematic expenditure for particular and special objects, would appear to be but very partially serviceable.

PUBLIC BUILDINGS.

During the Session of 1856, the sum of £750 was appropriated for the repairs and improvement of the Public Buildings during the year. Of this sum, it will be seen by reference to the detailed expenditure in Appendix A, that £333 14 6 had been paid up to the 31st October, but the balance it is estimated will be sufficient to pay off all the liabilities that have been incurred. Of this sum £104 0 3 were old claims against the Commissioner of Public Buildings before the organization of the Board of Works.

The repairs to Government House have been heavy, from both main building and out-houses having been suffered to fall very much out of order. The floor of the basement building has been renewed, and the whole of the outside sashes have been repaired and painted. In the main building painting and whitewashing has been done, and about £60 has been expended on the furniture of the public reception rooms, which was very much needed. The out-houses have been underpinned and repaired, and new fencing and general repairs have been completed in the front of the main building. There is still a quantity of fencing that is decayed and requires renewal, and some arrangement is necessary to protect the bank in front of the house from the washing of the River, which is cutting it away.

It was found on examination that the building occupied by the Legislative Council, and part of the one occupied by the Executive Council, had the first floor timbers, over the foundations, completely rotted away, principally from want of ventilation. This has been remedied, new foundations, with proper circulation of air provided for, have been substituted, new floor timbers put in, and general repairs have been made to both buildings. The Offices of the Clerk of the Executive Council, of the Chief Superintendent of Schools, and of the Clerk of the Supreme Court, have all been newly painted,

painted, whitewashed, and generally repaired. Some additions and repairs have been made to the Surveyor General's and Secretary's Offices, and the premises occupied by the House of Assembly have been new-fitted and improved.

The Legislative Library has been enlarged by taking in the apartments recently occupied by the Master of the Rolls, new book cases have been added, and new carpeting, painting, and remodelling, at an expense of £168 18 5, which was not provided for in the Grant of £750 for Public Buildings, and by which that amount will probably be exceeded.

A complete new set of Ladders has been made and placed in position both for the Government House and for the other Public Buildings. Those that were removed were some of them completely decayed, and would have been found quite unserviceable had they been required.

The sum of £700 will be necessary to keep the Public Buildings in repair next year; this amount being requisite to maintain them in proper condition.

PUBLIC WHARVES.

No. 1.—*Low Water Landing at Saint Andrews.*

In 1855 appropriations to the amount of £259 5s. were made for the erection of a Low Water Landing at Saint Andrews, in the County of Charlotte. This sum purchased the ground, and erected a Wharf extending to low water at ordinary tides. Last year a further appropriation of £125 was made to extend this Wharf so as to enable Steamers to lie afloat at extreme low water at the lowest tides. This required an addition of 80 feet to the previous work, which has been effected by building a block 50 feet long and 30 feet wide, and connecting it with the previous work by a Bridge of 30 feet span, resting on double timbers of large size. This extension makes the whole length of the Wharf 530 feet, and renders it, as it is believed, one of the most convenient Steam Boat landings in the Province. In addition to the Grant of £125 from the Legislature, the American Steamers contributed £75, and the inhabitants of Saint Andrews raised a further sum of £30 towards making the Douglas Street approach an easier ascent, and railing in about 150 feet of the north side of the Wharf, which was exposed and dangerous during the prevalence of high winds. The Contract for the Block and Bridge was £225, of which there is still a balance due to the Contractor of £12 10s., besides which the Princess Street approach is incomplete, requiring plank flooring to make it available for vehicles, or convenient for pedestrians, and £35 is asked for this object, making altogether £47 10s., which is recommended to be appropriated next Session.

No. 2.—*Tilley's Landing.*

The Wharf at Tilley's Landing on the Saint John River, twenty miles below Fredericton, has been repaired this season at a cost of about £40, partly taken from the Great Road money appropriated for the Road terminating at the Wharf from the Little River Mills on the Fredericton and Richibucto Road, and partly from a Bye Road Grant that was not required for the purpose for which it was appropriated. There is a great deal of business done at this Wharf, and these repairs, though not sanctioned previously, have been an useful application of the public money, and given satisfaction in the neighbourhood.

In conclusion, the undersigned recognizes the propriety of strict economy in the performance of all the work committed to this Department, and believes that this is to be accomplished, not by the use of inferior or temporary materials, but by doing all new work in a thorough and durable manner; and rather repairing up present works to last a few years longer than making any sacrifice for the sake of equalizing the expenditure on each Road. By this means it is hoped that any additional outlay involved in the construction of permanent works, may be made up by prolonging the existence, of what may be at present temporary and perishable, as long as possible; and then re-erecting them of a more durable and superior construction. By this means, as Bridges, &c. fail in every part of the Province, permanent structures would by degrees take their place, and the decreasing repairs each year on the new work would permit in a few years the introduction of other and more expensive improvements; and though strict equality in the distribution of the Provincial Grants could not every year be obtained, yet the average of a number of seasons would remove even this objection, and restore the present equilibrium.

A large outlay, probably 20 per cent. of the whole sum, has heretofore been occasioned by what must be looked upon as an unfortunate opinion, prevalent, but nevertheless erroneous. It is considered that Public Works, and the expenditure of public money is a local benefit, rather than a general good; and the object hitherto appears to have been to secure the largest share of the outlay for each locality, irrespective of its wants or position; and large sums have been spent, Bridges built, and outlay incurred where such have not been absolutely necessary. This all proceeds from a mistaken notion of the requirements of the country, and the best way of promoting its prosperity, and has undoubtedly not contributed to the improvement of its internal communication, or its position with respect to neighbouring Provinces. If the public money is wasted where it is not wanted, permanent work cannot be afforded where it is necessary, and on the contrary, by practising economy throughout, means are furnished, to finish what is undertaken, in a better style of workmanship, and to produce results that must soon tell upon the prosperity of the country.

All the foregoing is respectfully submitted.

C. MACPHERSON, *Chief Commissioner.*

APPENDIX A.

No. 1.

*Statement shewing the Amount expended on Government Buildings in Fredericton, from
7th February to 31st October 1856.*

| | | | | | | | | | | | |
|---------------------------------------|------|------|------|------|------|------|------|------|-----|----|----|
| <i>Post Office.</i> | | | | | | | | | | | |
| Thomas Stewart, | .... | .... | .... | .... | .... | .... |  | £0 | 11 | 1 | |
| <i>House of Assembly Building.</i> | | | | | | | | | | | |
| R. Lipset, | .... | .... | .... | .... | .... | £5 | 17 | 6 | | | |
| R. Dunn, | .... | .... | .... | .... | .... | 8 | 14 | 7 | | | |
| Thos. Williams, | .... | .... | .... | .... | .... | 2 | 0 | 0 | | | |
| R. H. Payne, | .... | .... | .... | .... | .... | 3 | 10 | 0 | | | |
| Thos. Dowling, | .... | .... | .... | .... | .... | 0 | 9 | 0 | | | |
| George Lawrence, | .... | .... | .... | .... | .... | 3 | 0 | 0 | | | |
| L. M'Lean, | .... | .... | .... | .... | .... | 0 | 12 | 6 | | | |
| | | | | | | | | | 24 | 3 | 7 |
| <i>Executive Council.</i> | | | | | | | | | | | |
| R. Dunn, | .... | .... | .... | .... | .... | £26 | 5 | 0 | | | |
| Thos. Stewart, | .... | .... | .... | .... | .... | 1 | 13 | 8 | | | |
| | | | | | | | | | 27 | 18 | 8 |
| <i>Legislative Council.</i> | | | | | | | | | | | |
| E. Elliott, | .... | .... | .... | .... | .... | £1 | 11 | 0 | | | |
| T. G. Allan & Co. | .... | .... | .... | .... | .... | 10 | 4 | 3 | | | |
| | | | | | | | | | 11 | 15 | 3 |
| <i>Crown Land Office.</i> | | | | | | | | | | | |
| R. H. Payne, | .... | .... | .... | .... | .... | .... | .... | .... | 0 | 17 | 0 |
| <i>Secretary's Office.</i> | | | | | | | | | | | |
| Thos. Williams, | .... | .... | .... | .... | .... | .... | .... | .... | 0 | 10 | 0 |
| <i>Judges and Clerk of the Pleas.</i> | | | | | | | | | | | |
| E. O'Brien, | .... | .... | .... | .... | .... | £0 | 5 | 3 | | | |
| J. Nisbet, | .... | .... | .... | .... | .... | 5 | 0 | 0 | | | |
| | | | | | | | | | 5 | 5 | 3 |
| <i>Superintendent of Schools.</i> | | | | | | | | | | | |
| Mrs. Driscoll, | .... | .... | .... | .... | .... | .... | .... | .... | 0 | 6 | 0 |
| <i>Legislative Library.</i> | | | | | | | | | | | |
| Thos. Aitkin, | .... | .... | .... | .... | .... | .... | .... | .... | 9 | 15 | 0 |
| <i>Government House.</i> | | | | | | | | | | | |
| J. Landy, | .... | .... | .... | .... | .... | £37 | 10 | 0 | | | |
| P. Spillard, | .... | .... | .... | .... | .... | 1 | 10 | 0 | | | |
| | | | | | | | | | £39 | 0 | 0 |
| <i>Carried forward,</i> | .... | .... | .... | .... | .... |  |  |  | £81 | 1 | 10 |

| | | | | | | | | | | |
|-------------------------|------|------|------|------|-----|----|----|------|----|----|
| <i>Brought forward,</i> | .... | .... | .... | .... | £39 | 0 | 0 | £81 | 1 | 10 |
| P. Burns, | .... | .... | .... | .... | 0 | 15 | 0 | | | |
| T. Dowling, | .... | .... | .... | .... | 0 | 9 | 3 | | | |
| G. Pattison & Co. | .... | .... | .... | .... | 64 | 8 | 6 | | | |
| J. M'Donald, | .... | .... | .... | .... | 1 | 10 | 0 | | | |
| J. Neill, | .... | .... | .... | .... | 4 | 6 | 11 | | | |
| T. Stewart, | .... | .... | .... | .... | 5 | 17 | 8 | | | |
| M. Lemont, | .... | .... | .... | .... | 1 | 10 | 0 | | | |
| J. Connie, | .... | .... | .... | .... | 0 | 10 | 0 | | | |
| E. Farril, | .... | .... | .... | .... | 0 | 5 | 0 | | | |
| P. Parker, | .... | .... | .... | .... | 1 | 8 | 0 | | | |
| D. Elliott, | .... | .... | .... | .... | 19 | 1 | 3 | | | |
| Ann Squires, | .... | .... | .... | .... | 3 | 10 | 0 | | | |
| Mrs. Clark, | .... | .... | .... | .... | 1 | 8 | 0 | | | |
| Mary Brown, | .... | .... | .... | .... | 0 | 17 | 6 | | | |
| M. Higgins, | .... | .... | .... | .... | 2 | 0 | 0 | | | |
| D. Connors, | .... | .... | .... | .... | 0 | 10 | 0 | | | |
| Gas Company, | .... | .... | .... | .... | 1 | 5 | 4 | | | |
| | | | | | | | | 148 | 12 | 5 |
| | | | | | | | | £229 | 14 | 3 |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 2.

Statement of Claims on the late Commissioner of Government Buildings, paid by the Board of Works between 7th February and 31st October 1856.

| | | | | | | | | | | |
|-------------------|------|------|------|------|------|------|------|------|----|---|
| W. P. Taylor, | .... | .... | .... | .... | .... | .... | .... | £5 | 12 | 6 |
| A. Smith, | .... | .... | .... | .... | .... | .... | .... | 3 | 16 | 6 |
| J. M'Donald, | .... | .... | .... | .... | .... | .... | .... | 33 | 1 | 1 |
| Hatheway & Small, | .... | .... | .... | .... | .... | .... | .... | 1 | 0 | 0 |
| J. Neill, | .... | .... | .... | .... | .... | .... | .... | 3 | 12 | 0 |
| R. Chestnut, | .... | .... | .... | .... | .... | .... | .... | 27 | 11 | 9 |
| R. Woods, | .... | .... | .... | .... | .... | .... | .... | 2 | 10 | 0 |
| A. H. Clark, | .... | .... | .... | .... | .... | .... | .... | 24 | 12 | 4 |
| J. S. Conner, | .... | .... | .... | .... | .... | .... | .... | 2 | 4 | 1 |
| | | | | | | | | £104 | 0 | 3 |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 3.

Statement shewing Payments made by the Board of Works on Account of the House of Assembly, from 7th February to 31st October 1856.

| | | | | | | | | | | |
|------------------|------|------|------|------|------|------|------|-------|----|----|
| H. B. Rainsford, | .... | .... | .... | .... | .... | .... | .... | £29 | 7 | 2 |
| J. Reilly, | .... | .... | .... | .... | .... | .... | .... | 0 | 12 | 0 |
| John Holland, | .... | .... | .... | .... | .... | .... | .... | 2 | 6 | 3 |
| Andrew Marr, | .... | .... | .... | .... | .... | .... | .... | 2 | 0 | 0 |
| Moses Brown, | .... | .... | .... | .... | .... | .... | .... | 1 | 7 | 6 |
| Daniel Hurley, | .... | .... | .... | .... | .... | .... | .... | 1 | 7 | 6 |
| M. Driscoll, | .... | .... | .... | .... | .... | .... | .... | 0 | 4 | 9 |
| J. Moore, | .... | .... | .... | .... | .... | .... | .... | 1 | 10 | 0 |
| E. O'Brien, | .... | .... | .... | .... | .... | .... | .... | 3 | 12 | 6 |
| E. Williams, | .... | .... | .... | .... | .... | .... | .... | 3 | 1 | 0 |
| J. Neill, | .... | .... | .... | .... | .... | .... | .... | 45 | 11 | 10 |
| J. Sullivan, | .... | .... | .... | .... | .... | .... | .... | 2 | 0 | 0 |
| | | | | | | | | <hr/> | | |
| | | | | | | | | £93 | 0 | 6 |

Office Board of Works, 31st October 1856.

ASA COY, *Sec'y.*

No. 4.

Statement shewing the Amount advanced on unfinished work, from 7th February to 31st October 1856.

Bridges.

| | | | | | | | | | | |
|---|------|------|------|------|------|------|------|---------|----|----|
| North West Bridge, | .. | .... | .... | .... | .... | .... | .... | £4,986 | 8 | 6 |
| Hampton Ferry, | .... | .... | .... | .... | .... | .... | .... | 1,731 | 2 | 6 |
| Sullivan Creek, | .... | .... | .... | .... | .... | .... | .... | 1,415 | 12 | 0 |
| South Bay, | .... | .... | .... | .... | .... | .... | .... | 914 | 11 | 3 |
| Musquash, | .... | .... | .... | .... | .... | .... | .... | 745 | 0 | 0 |
| Hammond River, | .... | .... | .... | .... | .... | .... | .... | 400 | 0 | 0 |
| Sackville, | .... | .... | .... | .... | .... | .... | .... | 6 | 10 | 0 |
| Grand Falls, | .... | .... | .... | .... | .... | .... | .... | 0 | 6 | 3 |
| Trout Creek, | .... | .... | .... | .... | .... | .... | .... | 0 | 5 | 0 |
| Estey Creek, | .... | .... | .... | .... | .... | .... | .... | 0 | 12 | 0 |
| Ransom Brook Bridge, Albert, | .... | .... | .... | .... | .... | .... | .... | 50 | 0 | 0 |
| Jos. Tomlinson, on account of Bridges generally, | .... | .... | .... | .... | .... | .... | .... | 525 | 0 | 0 |
| L. R. Coombes, to repair Bridges in Victoria, 1855, | .... | .... | .... | .... | .... | .... | .... | 100 | 0 | 0 |
| Miscoe Light House Buildings, | .... | .... | .... | .... | .... | .... | .... | 444 | 5 | 11 |
| Richibucto Harbour, | .... | .... | .... | .... | .... | .... | .... | 9 | 4 | 6 |
| | | | | | | | | <hr/> | | |
| | | | | | | | | £11,328 | 17 | 11 |

Office Board of Works, 31st October 1856.

ASA COY, *Sec'y.*

No. 5.

Statement shewing the Sums paid for petty repairs on the Great Roads, from 7th February to 31st October 1856.

| | | |
|------------------------------|----------------|---|
| A. Cormack, | £2 12 0 | Repairing Renous Bridge. |
| W. Buck, Saint Andrews, | 5 0 0 | On account of Plans. |
| Alex. Goodfellow, | 11 14 3 | Balance due him. |
| John Brookfield, | 5 0 0 | Bridge Model. |
| Joseph Biggs, Senr. | 4 5 0 | Balance due him. |
| Alexander Love, | 3 15 0 | } Balance due them 1852, under Mr. E. Simonds. |
| William Gregg, | 1 12 6 | |
| N. Hubbard, Esq. | 3 1 9 | Services connected with Estey Creek Bridge. |
| | <u>£37 0 6</u> | |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 6.

Statement shewing the Amount of Travelling Expenses of the Members of the Board of Works, from 7th February to 31st October 1856.

| | |
|---|-----------------|
| Chief Commissioner, from 7th Feb. to 19th May, including two trips to Hampton Ferry Bridge, | £12 13 1 |
| Same, trip to Saint John 27th May, | 3 12 6 |
| Secretary in June, viz :— | |
| To South Bay Bridge, | £0 10 0 |
| Dredge at Grand Lake, | 0 11 3 |
| Sullivan Creek Bridge, | 2 9 0 |
| | <u>3 10 3</u> |
| The Hon. Surveyor General, inspecting Bridges in the Eastern Counties in October, | £17 14 0 |
| Less—This balance still unpaid, | 2 19 1— |
| | <u>14 14 11</u> |
| | <u>£34 10 9</u> |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 7.

Statement shewing Contingencies paid in the Office of the Board of Works, from 7th February to 31st October 1856.

| | |
|--|-----------------|
| Firewood and sawing, | £2 15 0 |
| A Copying Press, | 4 0 0 |
| Making Fires, sweeping Office, &c. 18 months to 31st October, | 18 0 0 |
| Stationery, Binding, &c. &c. | 10 2 2 |
| | <u>£34 17 2</u> |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 8.

Statement shewing the Amount expended in working the Dredging Machine, from 7th February to 31st October 1856.

| | | | |
|---|---------------|-----------|----------|
| H. S. Beek, | £0 | 4 | 4 |
| B. Chase, | 5 | 0 | 0 |
| Sheriff Wolhaupter, | 6 | 10 | 10 |
| B. Kenney, | 0 | 11 | 3 |
| J. Marsh, | 0 | 17 | 6 |
| Mrs. Johnson, | 2 | 13 | 4 |
| N. Cameron, | 9 | 6 | 8 |
| S. Barker, | 20 | 13 | 4 |
| W. Morgan, ... | 5 | 13 | 1 |
| Alexander Mitchell, | 9 | 11 | 10 |
| J. Ross, | 14 | 10 | 9 |
| Jardine and Company, ... | 70 | 17 | 4 |
| T. L. Simmons, | 0 | 12 | 6 |
| D. Scott and Company, | 2 | 13 | 7 |
| Hatheway and Small, | 53 | 19 | 3 |
| J. M. Barker, ... | 150 | 0 | 0 |
| Men's wages, | 189 | 12 | 8 |
| Fuel, | 254 | 13 | 9 |
| New Scow, | 77 | 0 | 0 |
| J. M. Barker, outfits and other contingencies, | 87 | 12 | 0 |
| Advanced to Master to meet current expenses, | 113 | 5 | 0 |
| Same to S. Barker, on account, | 35 | 0 | 0 |
| | £1,110 | 19 | 0 |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 9.

Statement of Sums paid this year for work done prior to 7th February 1856, and on account of Claims unsettled on the 31st October 1856.

| | | | |
|---|-------------|-----------|----------|
| L. R. Coombes, | £105 | 0 | 0 |
| R. H. Payne, | 5 | 0 | 0 |
| A. Limerick, | 25 | 0 | 0 |
| Thomas Rutter, | 25 | 0 | 0 |
| R. Dunn, | 15 | 0 | 0 |
| W. M. Buck, | 11 | 0 | 0 |
| A. L. Light, | 50 | 0 | 0 |
| Claims for labour on Great Roads in Charlotte County, under George Anderson, while Supervisor, | 75 | 18 | 11 |
| Estate of Bryan M'Quade, for labour under Supervisor Asa Dow, ... | 34 | 14 | 2 |
| W. E. Perley, Esquire, M. P. P., balance due him, | 25 | 5 | 0 |
| | £371 | 18 | 1 |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

No. 10.

*Statement of Warrants on the Provincial Treasurer in favor of the Board of Works,
from 7th February to 31st October 1856.*

| No. | Amount. | Service. |
|-----|--------------|--|
| 117 | £100 0 0 | Great Roads, Victoria, L. R. Coombes. |
| 119 | 1,041 14 6 | Government Buildings. |
| 120 | 600 0 0 | Sullivan Bridge. |
| 121 | 52 2 3 | Towing Path, Saint John River. |
| 122 | 50 0 0 | Working expenses, Dredge. |
| 123 | 50 0 0 | A. L. Light. |
| 124 | 30 17 9 | Travelling expenses, Members of Board. |
| 125 | 12 18 4 | Office Contingencies. |
| 126 | 6 17 6 | Great Roads, petty repairs. |
| 127 | 50 0 0 | Rebuilding Bridge, Ransom Brook, Albert. |
| 172 | 200 0 0 | Hampton Ferry Bridge. |
| | 100 0 0 | South Bay Bridge. |
| 174 | 700 0 0 | N. W. Bridge, Miramichi, R. Hutchison. |
| 182 | 45 0 0 | Repairing old Bridge, Musquash. |
| 183 | 150 0 0 | Missiquash Bridge. |
| | 0 10 0 | Short in Warrant 94 of last year. |
| 184 | 250 0 0 | Hammond River Bridge. |
| | 200 0 0 | Hampton Ferry Bridge. |
| 187 | 200 0 0 | New Bridge, Musquash. |
| 209 | 100 0 0 | Great Roads, by Asa Dow. |
| | 150 0 0 | Sullivan Bridge. |
| 216 | 50 0 0 | Great Roads, by J. Robertson. |
| 222 | 6 14 6 | Miscoe Light House Building. |
| | 25 0 0 | Great Road, petty repairs. |
| | 50 0 0 | Sullivan Bridge. |
| 223 | 70 10 0 | Government Buildings. |
| 224 | 100 0 0 | Working expenses, Dredge. |
| 257 | 830 0 0 | Great Roads, &c. |
| 279 | 1,827 0 0 | Great Roads. |
| 288 | 25 0 0 | Great Roads, by J. Robertson. |
| 342 | 3,861 8 4 | Great Roads, &c. |
| 345 | 225 0 0 | Great Roads. |
| 383 | 175 5 7 | Working expenses, Dredge. |
| 397 | 352 19 4 | Do. do. |
| 398 | 574 8 4 | Government Buildings. |
| 401 | 690 0 0 | Great Roads. |
| 402 | 291 7 3 | Sullivan Bridge. |
| | £13,244 13 8 | <i>Carried forward,</i> |

Statement of Warrants in favor of Board of Works.—Continued.

| No. | Amount. | Service. |
|------|--------------|--|
| | £13,244 13 8 | <i>Brought forward.</i> |
| 418. | 184 14 2 | New Bridge, Musquash, Great Roads, &c. |
| 419 | 406 13 4 | Miscoe Light House. |
| 420 | 163 19 3 | South Bay Bridge, by J. Clark. |
| 422 | 250 0 0 | Bridges generally, by J. Tomlinson. |
| 429 | 280 0 0 | Hampton Ferry Bridge. |
| 430 | 500 0 0 | Sullivan Bridge. |
| 435 | 3,535 0 0 | Great Roads. |
| 436 | 4,819 4 2 | Do. |
| 458 | 3,000 0 0 | N. W. Bridge, Miramichi. |
| 459 | 200 0 0 | Hampton Ferry Bridge. |
| 476 | 1,258 0 5 | Bridges and Great Roads, &c. |
| 478 | 1,276 8 6 | N. W. Bridge, Miramichi. |
| 483 | 2,000 0 0 | Board of Works, general purposes. |
| | £31,118 13 6 | |

Office Board of Works, 31st October 1856.

ASA COY, *Sec'y.*

No. 11.

Statement shewing Total Amount expended by Board of Works from 7th Feb. to 31st Oct. 1856, as detailed in the foregoing Statements, Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9.

| | | |
|--------|--|--------------|
| No. 1. | Government Buildings, | £229 14 3 |
| 2. | Late Commissioner of do. | 104 0 3 |
| 3. | House of Assembly, | 93 0 6 |
| 4. | Unfinished work, | 11,328 17 11 |
| 5. | Great Road petty expenses, | 37 0 6 |
| 6. | Travelling expenses, | 34 10 9 |
| 7. | Office Contingencies, | 34 17 2 |
| 8. | Dredging Machine, | 1,110 19 0 |
| 9. | Sundry claims, | 371 18 1 |
| | Sums advanced Supervisors, Appendix B, | £14,060 6 11 |
| | Less this sum paid after 31st October 1856, | 440 6 11 |

£13,620 0 0

Add this sum, part of Warrant No. 435, undrawn from Treasury,

400 0 0

14,020 0 0

Balance due this Department last year,

£1,865 2 3

Less this sum over-paid James Landy in 1855,

1 17 6

1,863 4 9

37

Carried forward,

£29,228 3 2

| | | |
|--|-------------------------|---------------------|
| | <i>Brought forward,</i> | £29,228 3 2 |
| Balance in Central Bank, on deposit, | .... | 1,940 10 4 |
| | | £31,168 13 6 |
| Amount received from Provincial Treasurer, per State- ment No. 10, | .... | £31,118 13 6 |
| Special Appropriation from Gloucester Bye Roads, South Caraquet Bridge, | .... | 50 0 0—£31,168 13 6 |

Office Board of Works, 31st October 1856.

ASA COY, Sec'y.

APPENDIX B.
PARTICULARS AND ESTIMATE FOR 1857 FOR EACH ROAD.

| No. | Name, or portion of Road. | Miles. | Bridges. | Grants in 1856. | Name of Supervisor for 1856. | Bridges to build. | Cost of Bridges. | Cost of Road. | Total for 1857. |
|----------------|--------------------------------------|--------------|------------|--------------------|------------------------------|-------------------|------------------|---------------|-----------------|
| Part of 1 | Saint John to Hayward's Mills, | 65 | 13 | £875 0 0 | R. S. Matthews, (1) | 1 | £125 | £500 | £625 |
| " 1 | Hayward's Mills to Nova Scotia Line, | 67 | 15 | 513 3 0 | S. R. Charters, | .. | .. | 700 | 700 |
| " 2 | Saint John to Lepreau, | 26 | 9 | 250 0 0 | W. H. Rourke, | 4 | 260 | 440 | 700 |
| " 2 | Saint Andrews to Lepreau, | 40 | 7 | 300 0 0 | Stuart Seelye, (1) | .. | .. | 200 | 200 |
| 3 | Bend to Shediac, | 14 | 1 | 200 0 0 | John Welling, (1) | .. | .. | 60 | 150 |
| 4 | Shediac to Dorchester, | 21 | 6 | 100 0 0 | Do. (2) | 1 | 90 | 250 | 300 |
| 5 | Shediac to Richibucto, | 36 | 23 | 400 0 0 | W. Brait, | .. | 50 | 340 | 400 |
| 6 | Richibucto to Chatham, | 40 | 13 | 550 0 0 | W. M. Kelly, (1) | .. | 60 | 150 | 600 |
| 7 | Miramichi to Pokemouche, | 62 | 14 | 745 16 11 | A. Davidson, | 1 | 450 | 100 | 400 |
| 8 | Pokemouche to Bathurst, | 51 | 9 | 200 0 0 | Joseph Sewell, | 3 | 300 | 200 | 200 |
| 9 | Bathurst to Belledune, | 23 | 8 | 250 0 0 | G. Wilson, | .. | .. | 470 | 600 |
| 10 | Belledune to Metis, | 62 | 29 | 600 0 0 | Arch. Ramsay, | 1 | 130 | 155 | 600 |
| Part 11 | Newcastle to Tabusintac, | 28 | 9 | 400 0 0 | W. M. Kelley, (2) | 2 | 445 | 350 | 950 |
| " 11 | Bathurst to Tabusintac, | 22 | 7 | 100 0 0 | M. O'Brien, | 3 | 600 | 400 | 750 |
| 12 | Fredericton to Newcastle, | 102 | 30 | 850 0 0 | Francis Elliot, | 3 | 350 | 340 | 980 |
| Part 13 | Fredericton to Government House, | 35 | 20 | 225 0 0 | Arch. M'Lean, Jun. | 3 | 640 | 160 | 300 |
| " 13 | Saint John to Government House, | 31 | 15 | 225 0 0 | Phillip Nase, Jun. | .. | .. | 200 | 200 |
| 14 | Fredericton to Woodstock, | 63 | 52 | 560 0 0 | Asa Dow, (1) | 1 | 140 | 200 | 200 |
| 15 | Woodstock to DeChute, | 40 | 13 | 300 0 0 | James Ketchum, | .. | .. | 200 | 200 |
| 16 | DeChute to Grand Falls, | 33 | 8 | 300 0 0 | G. W. Curry, (1) | .. | .. | 200 | 200 |
| Part 17 | Grand Falls to Little Falls, | 38 | 22 | 525 0 0 | Do. (2) | 3 | 650 | 75 | 250 |
| " 17 | Little Falls to Canada Line, | 12 | 3 | 50 0 0 | P. Gagnon, (1) | .. | .. | 50 | 50 |
| 18 | Little Falls to Saint Francis, | 32 | 12 | 200 0 0 | Do. (2) | .. | .. | 50 | 50 |
| 19 | Grand Falls to American Line, | 3 | 3 | 200 0 0 | G. W. Curry, (3) | .. | .. | 100 | 100 |
| 20 | Pickard's Store to American Line, | 5 | .. | 50 0 0 | Do. (4) | .. | .. | 150 | 150 |
| 21 | Buttermilk Creek to American Line, | 9 | .. | 100 0 0 | Asa Dow, (2) | .. | .. | 100 | 100 |
| 22 | Woodstock to American Line, | 11 | 1 | 100 0 0 | Do. (3) | .. | .. | 150 | 150 |
| Part 23 | Fredericton to Magaguadavic, | 46 | 4 | 175 0 0 | L. B. Rainford, (1) | 1 | 165 | 75 | 75 |
| " 23 | Saint Andrews to Magaguadavic, | 34 | 9 | 175 0 0 | W. H. Mowat, (1) | .. | .. | 75 | 75 |
| 24 | Waweig to Saint Stephen, | 9 | 5 | 446 7 0 | Do. (2) | .. | .. | 100 | 100 |
| 25 | Roix to Oak Bay, | 16 | 1 | 100 0 0 | Do. (3) | .. | .. | 100 | 100 |
| Part 26 | Oak Bay to Little Digdeguash, | 30 | 4 | 235 0 0 | J. Grimmer, (1) | .. | .. | 50 | 300 |
| " 26 | Eel River to Little Digdeguash, | 30 | 2 | 235 0 0 | Asa Dow, (4) | 1 | 250 | 100 | 100 |
| 27 | Dead Water Brook to Saint Stephen, | 17 | 6 | 100 0 0 | J. Grimmer, (2) | .. | .. | 150 | 150 |
| 28 | Lower Trout Brook to Magaguadavic, | 38 | 4 | 175 0 0 | Stuart Seelye, (2) | .. | .. | 150 | 150 |
| Part 29 | Salisbury to Hopewell Court House, | 30 | 9 | 300 0 0 | Isaac Gross, | 1 | 150 | 200 | 200 |
| " 29 | Harvey to Hopewell Court House, | 14 | 8 | 100 0 0 | Thos. M'Ciellan, (1) | .. | .. | 300 | 300 |
| 30 | Isaac Derry's to Point Wolf, | 25 | 4 | 250 0 0 | J. A. Reid, | .. | .. | 100 | 100 |
| Part 31 | Crooked Creek to M'Manus's, | 20 | 1 | 150 0 0 | Thos. M'Ciellan, (2) | 1 | 300 | 100 | 250 |
| " 31 | Loch Lomond to M'Manus's, | 41 | 8 | 450 0 0 | John Jordan, (1) | .. | .. | 50 | 50 |
| 32 | Saint John to Quaco, | 30 | 12 | 300 0 0 | Do. (2) | 1 | 150 | 175 | 175 |
| 33 | Hampton to Bellisle, | 8 | .. | 25 0 0 | R. S. Matthews, (2) | .. | .. | 100 | 100 |
| 34 | Scribner's to Bellisle, | 25 | 1 | 50 0 0 | Do. (3) | .. | .. | 100 | 100 |
| 35 | Nerepis to Gagetown, | 23 | 4 | 200 0 0 | J. B. Perkins, | 1 | 125 | 125 | 150 |
| 36 | Fredericton to Jemseg, | 30 | 10 | 100 0 0 | Moses Coburn, (1) | .. | .. | 100 | 100 |
| 37 | Jemseg to Finger Board, | 29 | 5 | 150 0 0 | John Robertson, | 1 | 25 | 100 | 100 |
| 38 | Cole's Island to Cape Tormentine, | 40 | 3 | 150 0 0 | George Oulton, | .. | .. | 450 | 450 |
| Part 39 | Barker's Landing to Queen's County, | 56 | 9 | 200 0 0 | Moses Coburn, (2) | .. | .. | 345 | 345 |
| " 39 | Through Queen's County, | 25 | 0 | 225 0 0 | Isaac C. Burpe, | .. | .. | 150 | 150 |
| 40 | Queen's County Line to Richibucto, | 44 | 10 | 400 0 0 | W. Fitzgerald, | .. | .. | 75 | 75 |
| 41 | Tilley's Landing to Little River, | 12 | 6 | 100 0 0 | Moses Coburn, (3) | 1 | 75 | .. | .. |
| 42 | Sussex Vale to Baptist Meeting, | 12 | 3 | 100 0 0 | John Hagerty, | .. | .. | .. | .. |
| Totals, | | 1,630 | 470 | 14,060 6 11 | | 35 | £5,705 | £8,395 | £14,100 |

APPENDIX C.

STATEMENT of Amounts over-expended on the Roads by the Supervisors, and of Balances in their hands unexpended on the 31st October 1856.

| ROAD. | Supervisors. | Over-expended. | Unexpended. | REMARKS. |
|------------|------------------|----------------|-------------|---|
| Part of 1 | R. S. Matthews, | £67 11 4 | .. | |
| " 2 | S. C. Charters, | .. | £2 12 9 | |
| " 2 | W. H. Rourke, | .. | 6 2 7 | |
| " 4 | Stuart Seelye, | .. | 33 15 0 | Unvouched charges of 1855. |
| 5 | J. Welling, | 3 13 9 | .. | |
| 4 | W. Brait, | .. | 2 8 6 | |
| 6 | W. M. Kelly, | 75 12 7 | .. | Over-expenditure incurred in 1855. |
| 7 | A. Davidson, | 259 3 8 | .. | Do. do. |
| 8 | J. Sewell, | .. | 10 11 7 | |
| 9 | G. Wilson, | 0 0 10 | .. | |
| 10 | A. Ramsay, | .. | 47 7 8 | |
| Part of 11 | M. O'Brian, | .. | 1 1 8 | |
| 12 | D. Crocker, | .. | 41 16 0 | |
| | F. Elliot, | 23 5 1 | .. | |
| Part of 13 | A. M'Lean, | 23 13 5 | .. | |
| " 13 | P. Nase, | 59 14 6 | .. | £20 of this authorized by Board of Works. |
| 14 | Asa Dow, | 72 10 1 | .. | £36 6 7 over-expended in 1855. |
| 15 | James Ketchum, | .. | 3 6 10 | |
| 17 | G. W. Curry, | .. | 193 2 1 | To pay the Contractor on Little Falls Bridge. |
| 18 | P. Gagnon, | 3 10 0 | .. | |
| Part of 23 | L. B. Rainsford, | .. | 16 11 6 | |
| " 23 | D. Mowat, | 7 13 11 | .. | |
| " 26 | J. Grimmer, | 0 11 1 | .. | |
| " 29 | T. M'Clelan, | .. | 18 8 1 | |
| 30 | J. A. Reid, | .. | 2 4 6 | |
| 32 | J. Jordau, | .. | 21 16 9 | |
| 35 | J. B. Perkins, | .. | 0 9 6 | |
| 36 | M. Coburn, | 20 3 0 | .. | |
| 37 | J. Robertson, | 5 14 11 | .. | |
| 38 | G. Oulton, | 3 19 1 | .. | |
| Part of 39 | J. C. Burpee, | .. | 1 14 0 | |
| | | £626 17 3 | £403 9 0 | |

APPENDIX E.

Report from J. A. Maclauchlan, Esquire, on the Improvement of the Navigation of the River Saint John.

Kingswood, December 4, 1856.

SIR,—I beg leave to inform you that the public work under my personal superintendence, for the improvement of the navigation between Fredericton and the Grand Falls, was closed towards the end of October; also, the Account of Expenditure forwarded to the Auditor General; and I have now the honor to submit this my fourth Annual Report, for the information of the Board of Works.

With a view to the completion of the improvements in the River above Woodstock, I left the Meductic Falls in June with my party for the Grand Falls, intending to confine my operations through the season between that and Kelly's Rapid, 16 miles below the entrance of the Tobique River; but, I regret to say, after progressing with the work at Kelly's and one of the ledges in the Tobique Rapid, together with the completion of the White, DeFemme, and Black Rapids, and leaving only Watson's and Little River Rapids to finish the improvements as far down as the Restook River, I was then obliged, in consequence of the very unusual high freshet in August, of nearly nine feet, to leave that section of the River, and to give my attention during the remainder of the season between Woodstock and the Meductic Falls; when I effected the completion of Betts' Rapid, the removal of Watson's or Nay's Rocks, 7 miles below Woodstock, so destructive to rafts passing down the River, and also finishing the upper approaches to the Meductic Falls, that is, at Ingraham's and Brown's Points, where from the contraction of the River to within 500 feet, occasioned a very heavy swell, and made it both difficult and dangerous for Steamers and other boats, &c. to pass previous to any of the obstructions being removed.

In order to afford information to the Captains of Steamers and other persons, touching the available depth of water in the several Rapids, I have come to the conclusion, as the obstructions are removed, to have a rock painted white in each of them, and shewing the number of feet by lines and figures in black. One of these is now observable at the head of the White Rapids, on the left bank or right ascending side of the River. However, in giving this information, I wish it to be understood that these Beacons are not placed with an intention of shewing any uniform depth of water in the main River, but confined altogether to the Rapids; because the attention I have given to the rise and fall of the River during the last four years, has fully satisfied me that no uniform depth of water can be depended upon after the spring freshet, and which may be attributed to two causes; first, when the rise is from the head of the River or above the Grand Falls, as was the case this season, and the tributaries below it discharging little or no water, consequently from the great contraction of the River, at least one third, from the Grand Falls down for some miles must result in a sudden rise, and remain high when the lower part of the Saint John would be comparatively low. Then again, if the freshet is altogether occasioned by the tributaries some miles below the Grand Falls, that section of the River would be high, when the upper or contracted portion of it, in all probability, would be low.

In fact, I have frequently observed through the summer season the tributaries from both banks of the River, and only within a few miles of each other, the one dis-

charging a heavy flood of water, and the other nothing more than the ordinary summer quantity, so that I conceive it almost impossible to expect any uniform depth of water in the main River, unless during the spring freshet, when from rain and the melting of snow and ice, the tributaries then contribute equally to keep up a uniform depth in the main River, at least for a few weeks.

For the purpose of showing the direction and centre of the opening or cut through the Bellevisor Bar, 4 miles above the Meductic Falls, I have placed a large cedar post, painted white, on each bank of the River.

This season I have completed two Towing Paths of three quarters of a mile each, and eight feet in width on the right ascending side of the River; one in the vicinity of Eel River, to enable the Tow Boats to pass the extensive ledges at David Phillips'; the other at the Governor's Table Rock, so called, two miles above the Meductic Falls.

The blasting operations this year have taken over 800 lbs. of powder, with about the same number of tin tubes used under water, from three quarters of an inch to an inch in diameter, and from four inches to a foot in length; also a quantity of fuse, and about ten thousand steel drills sharpened; but much more powder, &c. would have been expended, only that the use of broad steel chisels with the aid of sledges were found to expedite the work much more rapidly above and below water, upon some of the ledges, than by blasting.

As I have not thought it necessary in this Report to enter into detail of the improvements effected in the navigation during the preceding years, I have attached a Map of the River shewing the position of all the obstructions removed by me since August 1853.

The Boats, Scows, &c. &c. with tools and other stores, are as heretofore left in charge of T. C. Atherton, Esquire, at the Meductic Falls.

Having enumerated the several works progressed with this season, I wish to advert to some of the remaining obstructions in the River, and to conclude this Report with a few general remarks.

The only Rapids requiring attention above Woodstock are Watson's, Little River, Tobique, Muinic, Guisquits, and Kelly's, which in my opinion can be finished next season, provided the River is not too high for carrying on the works to advantage. Then all that remains of the rocky obstructions below Woodstock, are from Eel River to the Nackawickac, including the Meductic Falls, which requires a straight channel made through them for the safe passage of Steamers when the River is below a quarter freshet; but this work cannot be progressed with unless the water is extremely low, owing to the rapid and agitated current, which make it both difficult and dangerous for blasting operations.

In all my Annual Reports I recommended the use of a Steam Dredging Machine as being the most speedy and economical process of opening the Bars from Fredericton upwards; and I had entertained a hope that the Boat built by Government last year, could have been employed on that service, but I am now satisfied from its model and draught of water, (upwards of 5 feet,) it cannot be used to any advantage; and therefore I fear that the Bars must still continue to be improved in the same manner I opened the Bellevisor and Knapp's, by men and horse-teams, with the aid of scrapers, which is a most laborious and at the same time tedious method of operating upon them.

Anxious to obtain correct information with respect to the trips made by Steamers and

and Tow Boats during the season, together with the number of passengers and quantity of freight taken to the upper Saint John, I am now enabled to state, through the kind assistance of Mr. John T. Allen, Steamboat Agent at Woodstock, and Mr. Dowling the Wharfinger at Fredericton, that the Steamers commenced running this year the last week in April, that is, the Richmond, Reindeer, Bonnie Doon, and Pierce, but unfortunately the latter when making her third trip to Woodstock was totally destroyed by the bursting of her boiler, which caused the loss of several lives and some freight. These Steamers, from the low state of the River, were prevented from running after the 22nd of June, a month earlier than last year, but made a few trips between the 8th of July and 22nd of August, and again between the 26th of September and 15th of October; during which time no Boat made over 28 trips from Fredericton, and the number of passengers conveyed by them was over 4,000, with about 10,000 barrels bulk of provisions and goods.

The Tow Boats made 264 trips from Fredericton this season, and conveyed to Woodstock, Tobique, and the Grand Falls, over 34,000 barrels bulk of provisions and goods, 15,000 of which was taken up by them after the Steamers stopped running, between the 15th of October and the 15th of November, when the navigation closed.

Having in my Report of 1853 particularly alluded to the Tow Boats, I must again beg to repeat what I then said on that subject, to show the necessity of carrying out my propositions in order to facilitate their trips to the upper Saint John; and I would now only ask, what would have been the situation of the inhabitants in that section of the Province, that is, the Counties of Victoria, Carleton, and the upper part of York, had the 34,000 barrels of supplies, taken up by these Boats, remained in the Storehouses in Fredericton for want of conveyance?

“From my constant intercourse through the season with persons in charge of Tow Boats, I have been enabled to ascertain with some degree of accuracy, the number employed in the transit of provisions and goods between Fredericton and the upper Saint John. These Boats number about fifty, and generally make from ten to twelve trips during the season, with an average load of one hundred and ten to one hundred and twenty barrels, allowing two hundred and thirty pounds weight for each barrel, which shows that upwards of forty thousand barrels, exclusive of the large quantity conveyed by the numerous Steamers, have left Fredericton this year for Woodstock, Tobique, and the Grand Falls, and during a season when Steamers were prevented from running in consequence of the low state of the River. I therefore think that every facility should be given to these Boats by making a sufficient “Towing Path” at the different Rapids; as it may be found after the principal obstructions in the River are removed, and unless there is a very different description of Steamers to those at present on the River, that “Tow Boats” are best adapted for the Saint John above Fredericton during the summer months, or in low water; and more particularly as their model within the last two years has been so much improved as to enable them to carry a much larger and heavier load than formerly, with the same number of horses, (two) and making their trips in a less time.”

The loss to the Steamers this Fall of the carrying trade to the upper Saint John, between 30 and 40,000 barrels bulk, exclusive of passengers, but including 6,000 barrels still remaining in Fredericton for want of conveyance, will, I hope, convince the proprietors of these Boats that they are not adapted to the River above Fredericton
excepting

excepting during the freshet, owing to their great draught of water, from three to four feet, when in my opinion no Steamer should exceed thirty inches to run to Woodstock, and two feet to the Grand Falls, and a lesser draught would be desirable, as it might in all probability insure to the public the great accommodation of Steamers plying regularly through the season.

From information I have obtained respecting the Steamers on the Alleghany River, in the United States, I should say their model or description of Boat has many advantages over ours.

The fall or descent of this River is 708 feet in 274 miles, double the descent of the Saint John between Fredericton and the Grand Falls, and has numerous short crooks or ox-bows, so called. The Steamers are about 100 feet in length, 17 to 18 feet breadth of beam, $3\frac{1}{2}$ feet depth of hold, has side paddles, and also provided with a wheel at the stern, and float nearly equal to the breadth of the boat; also two working cylinders of $11\frac{1}{2}$ inches diameter. These Boats carry or tow sixty tons, and have carried eighty passengers, and three hundred and fifty bushels of coals as a cargo, and the draught not exceeding 30 inches.

The mania for Railroads at the present day unfortunately appears to lead too great a proportion of the public in this Province to suppose that all water communication will very shortly be superseded by these Roads, and this opinion I am sorry to say, I have heard from persons whom I supposed were better informed with the geography of this Province, even if too indifferent to travel through it. But I would ask any reasonable person to place before him a Map of this Country, and follow the course of the magnificent River Saint John from its great emporium, the City, to the head of Lake Temiscouta, a distance of 300 miles, and within 36 miles of the Gulf of Saint Lawrence, and say that such a water communication, with its numerous inhabitants settled along its banks, can ever be superseded by any Railroad. I think never! and I will now go further to shew what a trifling expenditure of the public funds would be required to open the upper part of this communication for Steamers.

The obstructions in the Saint John from the Grand Falls to the entrance of the Little Madawaska, or Little Falls, so called, distant 36 miles, are very trifling, and will not require over £3,000 to remove them. Then at the Little Falls of the Madawaska, where a dam of two or three hundred feet in length, and from eight to ten feet in height, with one or two locks to enter the River from the Saint John, will in all probability cost £8,000; and again, to make the Little Madawaska navigable to the entrance or outlet of Lake Tamiscouta, a distance of 26 miles, about £1,000, when no further expenditure would be necessary, as the general depth of the Lake, which is about 30 miles in length and from half a mile to a mile and a half in width, is over fifty feet; and I have been told by persons resident there, that in some parts of it no soundings have been found at 200 feet.

It therefore appears that £12,000 would be sufficient to open this communication for Steamers to run regularly between the Grand Falls and the head of the Lake Tamiscouta, a distance of 92 miles; and which expenditure would not only facilitate the settlement of that section of the Province, but rapidly improve the Towns of Colbrook, Grand Falls, and Edmundston at the confluence of the Little Madawaska River.

In conclusion, I beg to state, that persons in charge of Tow Boats have informed me,

me, that the improvements made in the navigation during the last four years, has enabled these boats to increase their loads from ten to twenty five barrels, and also shortened the time of their trips between Fredericton and Woodstock nearly two days, and from that to the Grand Falls over a day, without any additional team of horses.

I have the honor to be, Sir, your most obedient servant,

J. A. MACLAUHLAN,

Commissioner for improving Navigation of River Saint John.

The Honorable Charles Macpherson, Chief Commissioner of Public Works.

APPENDIX F.

Supplementary Report on the Bridge over the Missiquash, between Nova Scotia and New Brunswick.

Since the date of the Report on the Missiquash Bridge, the whole of the Accounts have been audited and passed, and some additional claims have been examined and paid. The annexed Statement contains the final Report from the Audit Office:—

| | | | |
|--|---------------|-----------|----------|
| Paid H. Gallagher, Contractor, | £983 | 8 | 0 |
| Do. for repairing old Bridge, | 5 | 0 | 0 |
| Chief Commissioner's travelling expenses in 1855, | 8 | 5 | 0 |
| S. C. Charters, Supervisor, | 68 | 8 | 0 |
| Alex. Light, Engineering, Plans, &c. | 30 | 10 | 0 |
| | <u>£1,095</u> | <u>11</u> | <u>0</u> |
| Of which, due from Nova Scotia, | 547 | 15 | 6 |
| | <u>£547</u> | <u>15</u> | <u>6</u> |
| Leaves cost to this Province of: | | | |

C. MACPHERSON,

Chief Commissioner.

Office Board of Works, 10th February 1857.

No. 3.

[See Journal 20th March 1857, page 88.]

PROVINCIAL MILITIA FORCE AND DEFENCES.

(Copy)—No. 2.

Government House, Fredericton, N. B. January 19, 1857.

SIR,—I have the honor to acknowledge the receipt of your Despatch, Circular, December 8, 1856.

2. I regret to say that in the existing state of affairs in this Province, the instructions contained in the fifth paragraph of that Despatch are inapplicable. For although the Provincial Statutes relating to the Militia (vide Revised Statutes, Vol. I, Title ii, Chapters 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82,) provide fully for the organization, discipline and periodical assembly and drill of a very large Militia Force, all the operative Sections of these Statutes have been in abeyance since the year 1851.

3. In that year an Act was passed (vide Revised Statutes, Vol. I, Title ii, Chapter 83,) which practically rendered nugatory the whole of the Militia Laws; and although this Act was of a temporary character, and would have expired on the 1st May 1856, it was continued, as you are aware, for nine additional years, by an Act which passed the Legislature in the first Session last year.

4. There is not therefore at present in existence here, nor has this Province at any time during the last five years maintained any local Military Force whatever.

5. It is true that the suspending Act, to which I have referred, provides that the Lieutenant Governor, as Commander in Chief, may at any time recall into active operation the suspended Sections of the Militia Laws by Proclamation; but the Lieutenant Governor would not, I apprehend, be justified in issuing such a Proclamation, unless with the view of preparing to meet an impending assault from without, or to quell existing disturbances within the Province; and it is evident that, if either of these contingencies arose, the force which would assemble under the Proclamation, however well disposed and gallant the individuals of whom it was composed might be, (and they would not lack either loyalty or courage), would be utterly deficient in each and all the other characteristics of a Military Force.

6. I can assure you that neither the anomaly nor the insecurity of the position occupied by New Brunswick in this respect has escaped my notice; nor shall I fail to recall the attention of my Government to the subject.

I have, &c.

(Signed)

J. H. T. MANNERS-SUTTON.

Right Honorable H. Labouchere, M. P. &c. Colonial Office.

(Copy)—Circular.

Dubning Street, 8th December 1856.

SIR,—I am very desirous that you should take every opportunity to impress upon your Government that it behoves them not to neglect that reasonable amount of war-like preparation during peace which it is desirable should be everywhere maintained.

It is evident that the state of defence in which each Colony is maintained must have a great influence upon the general resources of the Empire during war.

They

They will be a source of weakness in so far as it is necessary for the Land and Sea Forces of the Mother Country to defend them against aggression; and a source of strength, if, while they are able from their own resources to repel any ordinary efforts of an Enemy's Squadron, they will afford shelter and support to our own Forces.

In fact the defences of the Colonies, from whatever source maintained, form parts of the defences of the Empire, and it will be necessary that the Secretary of State for War should have on record information as to the state of defence in which each Colony is kept.

I would therefore suggest that you should once a year call upon the Officer Commanding Her Majesty's Troops in New Brunswick to report to you upon the numbers and state of efficiency of any local Forces maintained by the Colony—whether permanently embodied, or as Militia, or Volunteers—pointing out how often they meet for drill, and, as far as he can judge, their state of discipline and military efficiency. The Officer Commanding Her Majesty's Troops will add to his report the report of the Commanding Officer of Artillery upon the numbers and efficiency of all Guns, Carriages, Platforms, and Military Stores (if any) under the care of the Colonial Government, and the report of the Commanding Officer of Royal Engineers upon the condition of all Fortifications, Batteries, Barracks, Magazines, Tanks, or other Military Structures, (if any), the maintenance of which has been entrusted to the Colonial Government.

I have to add that corresponding instructions will be sent to the Officer Commanding the Troops in New Brunswick.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

H. LABOUCHERE.

His Excellency the Lieutenant Governor, &c. New Brunswick.

No. 4.

[See Journal 20th March 1857, page 89.]

COLONIAL LIGHTS.

(Copy)—Circular.

Downing Street, 15th January 1856.

SIR,—An Ordinance having been recently received from the Governor of Western Australia, "To consolidate and amend the Laws for the Regulation of Shipping, and of Pilotage and other Dues in the Harbours of that Colony," without any provision having been inserted for requiring the Dues, of which the levy is thereby authorized, to be applied to the purpose of maintaining the Harbour Lights and Pilotage, on account of which they are so levied, I wish to call your attention to the circumstance, in order that in the event of an Act of this description being passed by your Government, the propriety may be considered of introducing a Clause either for requiring the Dues so levied to be applied specifically for the maintenance of the works and services in respect of which they are so authorized to be levied, or for requiring such Accounts to be kept as will shew how far the Dues thus levied upon Shipping exceed or fall short of the expenditure incurred in respect of those works and services.

The object of these provisions is to prevent parties engaged in the Shipping interest from considering that they are unduly taxed, or that the Duties which they are called upon to pay are made applicable to the general services of the local Government.

I have the honor to be, Sir,

Your most obedient, humble servant,

(Signed)

H. LABOUCHERE.

His Excellency the Lieutenant Governor of New Brunswick.

(Copy)—No. 45.

Downing Street, 23rd July 1856.

SIR,—With reference to Sir William Molesworth's Circular Despatch of the 1st September last, I transmit for your information and guidance the copy of a Letter from the Board of Trade, enclosing the draft of an Order in Council imposing a Toll upon certain Ships that will derive benefit from the Light House on Cape Race.

You will observe that the toll which it is intended to impose can only be levied upon certain classes of Vessels, with the consent and aid of the local Governments, but I cannot doubt that the respective Provinces interested in the maintenance of the Light will cheerfully co-operate with Her Majesty's Government in giving effect to the proposed measure. You will therefore bring the subject under the early consideration of your Council, and you will transmit to me full information on the several points adverted to in the Letter from the Board of Trade, so far as the Colony under your government is concerned.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieut. Governor The Hon. J. Manners-Sutton, &c. &c. &c.

(Copy)

(Copy)

*Office of Committee of Privy Council for Trade,
Whitehall, 9th July 1856.*

SIR,—I am directed by the Lords of the Committee of Privy Council for Trade to transmit to you for the consideration of Mr. Secretary Labouchere, the enclosed copy of a Draft Order in Council, imposing a toll upon certain Ships that will derive benefit from the Light House upon Cape Race, Newfoundland.

The toll is to be levied under the provisions of the Merchant Shipping Act amendment Act, 1855, (18 and 19 Vic. cap. 91,) which empowers Her Majesty in Council to impose a toll in respect of any new Light House erected in or near the coasts of any British possession, by or with the consent of the Legislative authority of such place.

My Lords calculate that the cost of erecting the Light will be about £5,160, and that the cost of maintaining it will be somewhat over £400 per annum. Assuming that the cost of erection is to be paid off in five years or thereabouts, it will be necessary to raise by the toll a sum of about £1,500 a year, to be reduced as soon as the cost of erection is paid off. From Returns which have been furnished in this country and by the Colonial Governments, it appears that the annual amounts of shipping that will pass or derive benefit from this Light is about 5,500,000 tons, which at the sixteenth of a penny per ton will give the required income. My Lords therefore propose to fix the toll at that amount.

It will be observed that the Order in Council extends to Ships navigating between Ports in the United Kingdom and certain Ports in North America, and also to Ships navigating to and from Ports in British North America, upon transatlantic voyages from and to Ports not in the United Kingdom. Upon the former of these classes, the toll can be collected in this country. Upon the latter, the toll can only be levied in the respective Colonies with the consent and by the help of the Colonial Governments; the two classes are, however, so far as regards the benefit to be derived from the Light, precisely in the same position, and my Lords trust therefore that there will be no difficulty on the part of any of the Colonies in levying and accounting for the toll thus imposed.

There are however two other classes of Vessels which will derive benefit from the Light, namely,—1st. Ships engaged in the Coasting Trade of the Colony of Newfoundland; 2nd. Ships engaged in the Inter-colonial Trade of the British Colonies in North America, and passing the Light.

With regard to these two classes, my Lords do not think it desirable to make any provision by the Order in Council until they learn precisely in what manner and to what extent the several Colonial Governments are disposed to concur in imposing and collecting the toll. In the case of Newfoundland, my Lords understand that the Colonial Government are willing to tax Coasters to the same extent for which they are taxed for Cape Pine, but they think it desirable to know the exact terms which the Colonial Government propose for the purpose, before embodying them in any Order of Council, if indeed it be necessary to do so at all.

As regards the mode of collecting the tolls imposed by the Order in Council, it appears desirable that they should be collected, whenever it is possible to do so, at the Port of clearance before the Vessel sails; my Lords propose accordingly that they should be so collected in any Ports of the United Kingdom, in the case of any Vessels departing from those Ports; whilst in the case of Ships arriving in the United King-

dom, my Lords propose that they shall not be demanded, if a Colonial receipt shewing that the toll for the voyage has been paid in the Colony before starting, is produced. As regards the management of the Light, it appears to my Lords that it may very properly be entrusted to the Board of Works mentioned in the Despatch of the Governor of Newfoundland of the 8th January last, which was transmitted to this Board in your Letter of 26th February, and my Lords will be prepared to make arrangements for the remitting of the tolls and for providing thereout the funds necessary for maintaining the Light, after learning the arrangements made for collecting and accounting for the tolls to be taken in Newfoundland and the other Colonies, and the particulars of the measures which the Board of Works propose to adopt for maintaining the Light.

The convenient course will probably be, that an Account should be rendered quarterly to this Department from the Colony of Newfoundland, of the cost of the management, and also of the amount of tolls received in that Colony, with the particulars of the Vessels which have paid the tolls, giving the name of the Vessel and the Port to which she belongs, her tonnage, rate of toll, and amount paid by each Vessel. If there is a balance due to the Colony upon such Account, it may be settled by a draft upon the Accountant to the Board of Trade, but if the receipts are more than the payments, the balance should be remitted to Her Majesty's Paymaster General, to be placed to the credit of the Account for Colonial Light Houses. The balance from the other Colonies should be remitted in like manner.

As regards the proposal contained in the Despatch of the Governor of Newfoundland above referred to, to the effect that the Light House on Cape Pine, and the tolls for that Light, should be placed upon the same footing as the Light House on Cape Race and its tolls, my Lords direct me to state that as soon as they have concluded the arrangements for Cape Race, and have seen how they answer, they will be prepared to consider the proposal; but they think it better to defer its consideration for the present.

As the Light House on Cape Race will soon be in a condition for exhibiting the Light, it is desirable that the Order in Council should be submitted for Her Majesty's sanction as early as possible. My Lords will be glad therefore to be favoured with Mr. Secretary Labouchere's opinion at his earliest convenience, whether there is any objection to the Order in Council as proposed to be framed, and they would be glad to receive also the required information upon the several points before adverted to with reference to the Colonies, so soon as Mr. Labouchere has had an opportunity of making the necessary communication with Colonial Governments.

With reference to dues to be levied in the Colonies, I am to call your attention particularly to the third Section of the Act above mentioned.

I have, &c.

(Signed)

JAMES BOOTH.

H. Merivale, Esquire, &c. &c. &c.

[Enclosure.]

Whereas by the Merchant Shipping Act amendment Act, 1855, it is enacted, that upon the erection of any new Light House in or near any of the coasts of the British Possessions, by or with the consent of the Legislative authorities of such Possession, Her Majesty may, by Order in Council, fix such toll in regard thereof to be paid by the

the Master or Owner of any Ship which passes the same or derives benefit therefrom, as Her Majesty may deem reasonable: And whereas a Light House is by and with the consent of the Legislative authority of the Colony of Newfoundland, now being erected on Cape Race in the said Colony: And whereas the erection of such Light House will soon be completed, and the Light thereof will shortly be exhibited: And whereas the several classes of Ships following, that is to say—

All Ships, whether Sailing Ships or Steam Ships, navigating from any Port or Ports in the British Colonies of North America to any Port or Ports in the United Kingdom:

All Ships, whether Sailing Ships or Steam Ships, navigating from any Port or Ports in the United Kingdom to any Port or Ports in the British Colonies in North America:

All Ships, whether Sailing Ships or Steam Ships, bound from any Port or Ports in the British Colonies in North America upon any transatlantic voyage:

All Ships, whether Sailing Ships or Steam Ships, arriving at any Port or Ports in the British Colonies in North America after any transatlantic voyage:

All Ships, whether Sailing Ships or Steam Ships, arriving at any Port or Ports in the United Kingdom from New York or any part in the United States north of New York:

All Steam Ships leaving any Port or Ports in the United Kingdom for New York, or any Port in the United States north of New York, will pass the said Light House, and will, when the Light is exhibited therein, derive benefit therefrom;

Now therefore Her Majesty, in exercise of the powers vested in Her by the said recited Act, by and with the advice of Her Privy Council, is pleased to direct, that upon and after the lighting of the said Light upon Cape Race, there shall be paid for every such Ship, as aforesaid, except Ships belonging to Her Majesty, Her Heirs and Successors, the toll of one sixteenth of a penny per ton of the burthen of every such Ship for every such voyage as aforesaid:

And the Right Honorable, &c.

(Copy)—No. 69.

Downing Street, 13th November, 1856.

SIR,—With reference to my Despatch No. 45, of the 23rd of July last, I have to acquaint you that the Law Officers of the Crown having been consulted respecting the Order in Council which it has been proposed to issue for the purpose of levying tolls for the maintenance of the Light House on Cape Race, Newfoundland, have expressed themselves of opinion that under the Merchant Shipping Act, 1855, the "consent" of the several Colonial Legislatures to the levy of these tolls must be obtained before such promulgation can legally take place.

You will therefore bring the subject under the notice of your Council, in order that the necessary measures may be taken for obtaining the expression of the assent of the Legislature of New Brunswick either by means of an Address to the Crown or by some Legislative Act.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieut. Governor The Hon. J. H. T. Manners-Sutton, New Brunswick.

(Copy)

(Copy)—Circular.

Downing Street, 8th January, 1857.

SIR,—You have already been apprized that the Lords of the Committee of Privy Council for Trade have undertaken the duty, as far as the Home Government is concerned, of superintending the erection of Colonial Light Houses.

In cases where funds are to be found for the purpose of erecting or maintaining any such Light, by levying tolls under the Merchant Shipping Act Amendment Act, 1855, or by means of a Grant from the Imperial Parliament, applications will of course be made to the Board of Trade, and they will then have an opportunity of considering the character and position of the Light in question, with reference to other Lights in the neighbourhood. But when a Light is erected in a Colony without application to the Lords of the Committee, it may happen that their Lordships receive no notice of the Light until the completion is notified to the public in the usual way.

It is evident that this may in some cases lead to great difficulty and confusion. It is of course of the utmost importance that all the Lights on a coast should be arranged on one system, and with reference to each other; and if, whilst one Colony is erecting a Light on its own coast, the Board of Trade are erecting a second Light on the coast of an adjoining Colony without notice of the former Light, the result may be that the Lights are made similar in character, and may thus prove impediments instead of aids to safe navigation.

The benefits to be derived from an arrangement under which the Colonial authorities may obtain the advantage of the experience of the nautical advisers of the Board of Trade, and of the three Light House Boards of the United Kingdom, are so fully adverted to in previous correspondence on the subject, that it is unnecessary to advert to them further.

But I am especially desirous of impressing upon you that, in all cases where the Colony under your government intends or wishes to erect Light Houses, or to alter Lights already erected, without assistance or advice from the Home Government, it is most desirable that a full intimation of such intention, and of the plans by which it may be proposed to carry it into effect, should be transmitted to the Board of Trade at the earliest possible period.

I have the honor to be, Sir,

Your most obedient, humble servant,

(Signed)

H. LABOUCHERE.

His Excellency the Lieut. Governor, &c. &c. &c. New Brunswick.

No. 5.

[See Journal 26th March 1857, page 98.]

BOUNDARY SURVEY AND DISPUTED TERRITORY FUND.

No. 1.

Report of the Commissioners appointed to ascertain, define and mark out the Boundary Line between this Province and Canada.

Quebec, 18th December 1855.

SIR,—We have the honor to report to you for the information of His Excellency the Lieutenant Governor of New Brunswick, that we have this day made a final Report, accompanied with Plans, of our having ascertained, defined and marked on the ground the Boundary Line between the Province of New Brunswick and the Province of Canada, according to the intent of the award in the Act of Parliament, 14th and 15th Victoria, chap. 63.

We have to express our regret that, as will be seen by the enclosed correspondence, Mr. Bouchette has declined to add his signature to those documents. He will, we have reason to believe, make his own Report.

We have the honor to be, Sir,

Your obedient humble servants,

WM. ROBINSON, *Lt. Col. Royal Engineers,*
Commissioner of Boundary.

A. E. BOTSFORD, *Commissioner of Boundary.*

The Honorable S. L. Tilley, Secretary for New Brunswick, &c. &c. &c.

(Triplicate)

Quebec, 18th December 1855.

SIR,—We, the undersigned Commissioners, appointed the 2nd August 1852, by Her Majesty's Principal Secretary of State for the Colonies, under the authority given to him by the Imperial Act, 14th and 15th Vic. Regina, chap. 63, entitled *An Act for the settlement of the Boundary between the Provinces of Canada and New Brunswick*, "to ascertain, define and mark the Boundary Line between the said Province of New Brunswick and between the said Province of Canada, according to the intent of the said award, as mentioned in the said Act;" having performed the duty entrusted to us, beg leave to report our proceedings, as follows:—

2. Agreeably to the instructions which we received from the Governor General of Canada and Lieutenant Governor of New Brunswick, the Commissioners assembled for the first time at the Town of Woodstock, in the latter Province, on the 24th May 1853.

3. During the preceding winter however, they had by correspondence, (their respective residences being widely separated, one in each Province and the other on the Island of Newfoundland,) agreed upon and ordered to be sent from England, the astronomical

astronomical and other instruments which they deemed necessary to the proper accomplishment of the service, and which could not have been so well obtained on this side of the Atlantic.

The accompanying list marked Appendix A, will shew in detail what these were ; to which were added two chronometers and a superior theodolite, obtained in Canada.

4. The Commissioners having duly considered, and having from the nature of their past duties been fully conversant with what had been done on the similar service performed a few years previously, viz : that of tracing out and marking with proper Monuments the Boundary between the British Provinces of North America and the United States, decided to follow with some few modifications the plan adopted on that occasion.

The one service was in fact a continuation of the other, but not being quite of so important a nature, it was deemed advisable to diminish the width of the line cut through the woods from 30 to 20 feet wide, and while using the same description of iron posts for monuments to diminish proportionally the number by nearly one half.

5. At the time of meeting, the instruments had not been received from England, but the Commissioners having for various reasons considered it best to ascertain and fix in the first place the southern boundary of the Fief of Madawaska and Temiscouata, upon which so much of the rest of the line both east and west of it depended, proceeded at once to the River Madawaska and established their first encampment close to the point where, in 1836, the crossing of the River by the Seignory line had been determined and marked by the Deputy Surveyor General of Lower Canada. The cedar post, marking the spot, was found in its place as left by him.

Beyond this only a partial and imperfect attempt to define this southern boundary of the Fief had been made by a local Surveyor.

6. The instruments from England were received in camp on the 16th June. The portable transit and altitude and azimuth instruments were set up in position, and observations of the stars made from time and latitude.

The direction of the meridian was found, and the line due northeast and southwest for the boundary of the Seignory was laid off from it in conformity with the law and custom of Canada in respect to Seignories.

7. Parties of labourers under qualified Surveyors proceeded to cut out the line on each side of the River 20 feet wide.

The length of each line was measured off two French leagues from the river's edge, and two important points of the boundary as contained in the Act established, viz : the southernmost point of the Fief Madawaska and Temiscouata, and the southeast angle of the same.

8. Whilst this was being done, observations for latitude continued to be made. For these and many other details of execution and performance, which would necessarily encumber this Report, reference is requested to the books and documents in which they were entered and calculated, and will be lodged in the offices of the Surveyor Generals of the respective Provinces ; they are marked as Appendix B to this Report.

9. When arrived at the southeast angle from which the meridional line northwards was to be commenced, the requisite instruments were conveyed there, the direction of the meridian observed, and a due north point from the transit instrument set up at a convenient distance to preserve the true direction.

A duly qualified Surveyor was left with a strong party of labourers to cut out this line. One of the portable transit instruments was left with him, by which, with a superior theodolite in addition, he was enabled to continue the line due northward, and it was afterwards tested and examined by the Commissioners and found to have been correctly and well carried out.

The latter having seen this line properly commenced, then moved to Long Lake, and proceeded to establish the next important point in the Act, at one mile due south from the southernmost point of that lake.

A site for a camp was selected on the south border of the lake, and observations made for latitude and direction of the meridian.

11. This one mile point having been duly established, the next operation was to connect it on the east side by a straight line to join the southernmost point of the Fief as just before established by them, and on the west side by another straight line to the point A, at the outlet of the Lake Beau, as described in the Act.

Fortunately this point was so well defined on the plan accompanying the award of the Arbitrators, and on the ground so correctly corresponded with that plan, that it was at once ascertained and fixed.

12. These two lines not being very long, though quite enough so as to prevent their termination being observed from any one point, and it being impossible in a country so broken and covered with the densest wood to attempt any thing like a trigonometrical survey to ascertain their right direction or bearing from the one mile station, the Commissioners, as the easiest and quickest method, ran a trial line to each point, merely brushing out and cutting down whatever impeded the Surveyor keeping a straight course. The direction at starting was derived from the most correct Maps and information in their possession at the time.

13. The true lines were then laid off by computation and offsets from the trial lines. The one mile point commanded the line to the eastward for very nearly the whole of its course, and the line was kept straight by the directing instrument at that station. On the western side intermediate stations for direction had been taken up.

The first line to the eastward proved to be on measurement 12 miles 297 feet, the other to the westward 12 miles and 1,586 feet. Both these lines were cut out 20 feet wide. The meridional line was cut out this season to the extent of 21 miles.

14. By the time these operations were completed, snow and ice began to make their appearance, and warned the Commissioners that the season for working with any advantage was at an end.

In November, therefore, they dismissed their parties, and having on their arrival at Quebec reported themselves to the then acting Governor General of Canada, and made also a report in triplicate of their progress, accompanied with a sketch, they adjourned for the winter to their respective residences.

15. During the season's operations no difficulties occurred which were not easily surmounted, except that arising from the difficulty of transporting provisions into the woods, wherewith to feed the several parties. A dry season, and the consequent failure of water in some one or more of the streams, rendered this both tedious and expensive.

16. Early in the spring of 1854, whilst the streams were still frozen, a Surveyor was sent with a party to make a survey of the Mistouche River, below its embouchure.

The iron monuments which had been ordered to be made at Saint John, New Brunswick, (60 in number) of which 10 were made somewhat larger than the rest, for the purpose of marking more conspicuously the angular and important points of the boundary; were, during the autumn and part of the winter, sent off to the nearest points of the Boundary Line to which they could be readily carried.

In the summer of 1854 the Commissioners, according to previous agreement, met on the Restigouche River.

17. A difference of opinion here occurred between Mr. Bouchette and the other two Commissioners as to the true River Mistouche.

Some correspondence ensued, copies of which accompany this Report, Appendix C, and will explain more in detail the cause of the difference.

It may however be briefly stated here that the Map or plan accompanying the award of the Arbitrators, which had been compiled from the previously published Maps of the country and other documents furnished to the Royal Commissioners, was found not to agree correctly with the actual physical facts on the spot.

The difficulty occurred between two Rivers, the one marked as Mistouche or Patapedia River on the general plan accompanying this Report; the other marked Tracy's Brook, a little to the west of it.

The two latter were the names by which these streams were familiarly known in the country.

19. Mr. Bouchette was of opinion from the information he had collected, that Tracy's Brook was the true Mistouche; whilst the other two Commissioners were as strongly of opinion that the Patapedia was the true Mistouche of Geographers, and the one according to the intent of the award.

It will be seen on the Map that the stream claimed by him does not reach the 48th parallel, and therefore never could form the boundary according to the Act of Parliament; whilst the other, a much longer river, extended many miles beyond it, and its waters are those first cut by the parallel east of the River Kedgwick.

The Chief Arbitrator assigned a special reason for the line being extended beyond this river.

20. Whilst this discussion was in progress, two of the Commissioners proceeded up the river, which they had selected as the Mistouche of the award, to establish the point where it would be intersected by the 48th parallel.

The other Commissioner went to explore the stream claimed by him to its northern source.

The actual amount of territory involved in the question is admitted by all the Commissioners to be of inconsiderable value to either Province, consisting of about 40,000 acres wild lands.

21. A favourable place for an encampment occurring on the bank of the river about twenty one miles up the stream from its mouth and near by estimation to the required latitude, the transit and altitude instruments were set up and observations continued to be made of the stars until the results of a great number of observations gave satisfactory proof that the position had been accurately determined.

The

22. The latitude of this station, by a mean of 72 observations of stars taken on different nights when passing or close to the meridian, gave the latitude of the station $47^{\circ} 59' 32''$.

A due north line was cut out and a distance equivalent to $28''$ of latitude measured off upon it. The first point in the parallel was thus established.

The third Commissioner having returned from his exploration of the stream to the west, and ascertained that it did extend to the parallel, made also his observations for the latitude, and having verified the correctness to his own satisfaction of the result obtained, the cutting out and marking the parallel was commenced.

Full details of this operation are given in the documents forming Appendix B to this Report.

This having been commenced, one Commissioner, Lieut Col. Robinson, remained to superintend its execution, whilst the other two left for the purpose of forwarding other portions of the Boundary, viz: the tangent lines, and planting the iron monuments on such parts of the line as had been cut out during the preceding summer.

24. The difficult nature of the country, the overlapping of the streams rising from numerous hills, there being no continuous or connected ridges of highland, but everywhere an undulating and hilly country covered with the densest forest, rendered the selection of these lines a work of much consideration and of previous exploration.

25. About $\frac{2}{3}$ of the parallel was completed this season, but a few miles only of the tangent lines were done when the approach of winter, snow and ice, rendered it impossible to continue the work either with safety or advantage; and in November the working parties were discharged, and the Commissioners, after making a Report of their season's progress, adjourned to their respective residences, when expenditure on account of the Commission ceased.

26. With a view to economy also it is to be stated that this year the width of the cutting was reduced from 20 feet to 10 feet, or only so much as to admit of the lines being accurately ascertained.

The iron monuments were planted on the most conspicuous hills where the lines crossed them, and on the banks of the principal streams; they average a distance of about two miles apart, and will always serve to preserve the course of the boundary.

27. The Commissioners reassembled at Quebec on the 4th June in the present year, and as soon after as the freshet in the river, caused by the melting of the snow in the woods had subsided, they proceeded by the Rimouski River to resume and complete the tracing of and cutting out the 48th parallel—the north tangent line—the east and west tangent line, and the portion remaining uncompleted of the meridional north line.

28. The remaining iron monuments were planted in their proper places, and the boundary in the field having been ascertained, marked and defined, the Commissioners, at the end of September, returned to Quebec.

29. Since which time they have been engaged in compiling and drawing, to accompany this Report—1st. a general plan of part of Lower Canada and New Brunswick, shewing the whole boundary between these two Provinces; and secondly, 19 sectional plans, shewing on a larger scale the details of the boundary, such as the position of the monuments,

monuments, the crossings of the principal streams, mountains, &c. The numbers, heading and titles of these are detailed in the list, Appendix D.

They comprise a boundary of 174½ miles in length, of which 103½ miles from the point A, on Lake Beau, to the intersection of the parallel with the River Mistouche, have been cut out through the woods; the remainder is river boundary.

30. The plans have all been made and signed in triplicate, with a view to one set being deposited in the Surveyor General's Offices of each Province, and the third to accompany this Report to Her Majesty's Principal Secretary of State for the Colonies.

31. A duplicate of this Report will be forwarded at the same time with them to the Governor General of Canada, and a triplicate to the Lieutenant Governor of New Brunswick.

32. As soon as the Accounts of the expenditure shall have been made up, the Commissioners will forward a statement of the amount.

Mr. Bouchette having refused to sign this, we, the undersigned, present it as our final Report, of having ascertained, defined and marked the Boundary between the Provinces of New Brunswick and Canada, according to the intent of the award mentioned in the aforesaid Act of Parliament.

We have the honor to be, Sir,

Your obedient and humble servants,

WM. ROBINSON, *Lt. Col. Royal Engineers,*
Commissioner of Boundary.

A. E. BOTSFORD, *Commissioner of Boundary.*

The Right Honorable H. M. Principal Secretary of State for the Colonies, &c. &c. &c.

(Copy)

APPENDIX C. No. 1.

W. R. *Lt. Col. R. E.*

A. E. B.

Patapedia, 4th July, 1854.

DEAR SIR,—I reached the Mistouche this morning, *via* Grand River, and after camping at the mouth of that River I proceeded hither, having been informed at Chenes Settlement that you were encamped at the entrance of the River, and learnt from the man in charge of the depot of provisions that you had ascended the Patapedia with boats, stores, &c. and were encamped some 22 miles up the River, also that Major Robinson was daily expected from Campbellton, and would likely come up with the tow boat expected on Friday next.

I can scarcely describe my disappointment at not meeting you previous to your starting up that River, which leaves me to conclude that you assume it as the River Boundary between Canada and New Brunswick, which we have been appointed to ascertain and define under the Act of Parliament 14th & 15th Victoria, chapter 63, establishing the Boundary Line between Canada and New Brunswick.

It was not but until the 21st ultimo that I was officially informed by command of the Governor General that the necessary funds should be supplied by the Department of Public Works to continue the survey this year, whereupon I engaged at River du Loup the men for Mr. Blacklock's survey of the meridian line, limited to 10 men, 2 chain bearers, and cook, and provided myself at the Lake and at Emerson's, 4 men and

and 2 canoes to convey me and my assistant to the Mistouche River, taking an Indian guide acquainted with the Restigouche River to point out that River, the only one of that name tributary to the Restigouche mentioned in the award of the Arbitrators, become law by the Imperial Act.

No such River as the Patapedia is named either in the Act of Parliament or on the Map of the Arbitrators, which Map I have, nor is the River mentioned on the Map accompanying the Report of Major Robinson, Captain Henderson, and Attorney Gen. J. Johnston, Commissioners appointed to enquire into the legal claims of Canada and New Brunswick to the territory in dispute between those Provinces; nor is it named in a Map of S. Saunders, Esquire, Surveyor General of New Brunswick, dedicated to Sir John Colebrook in 1842; but the River Mistouche or Mistouc, is accurately shewn on all these Maps as situated above Still Water Brook, and about 7 miles below the Kedgwick, being furthermore designated on the Surveyor General's Map as Tracy's Brook.

The River Mistouche, therefore, so situate, constitutes part of the Boundary Line between those Provinces from the 48th parallel of latitude to its mouth on the Restigouche, and it was in that view of the Act of Parliament that I prepared the instructions to Mr. Blacklock, a copy of which I enclosed to you, and which you were pleased to approve.

Agreeably to these instructions he proceeded on the survey, and identified the River Mistouche named in the Act of Parliament, which River he could only scale about $1\frac{1}{2}$ mile, it being open and the ice unsafe to proceed further upon.

Mr. Blacklock's Report of the River appears explicit, and leaves no room to doubt that it is the same intended in the award; he further reports having (without however instruction from me) scaled the Patapedia the distance of 17 miles for the information of the Commissioners, sufficiently to manifest that the Patapedia and the Mistouche are distinct Rivers.

You will judge yourself upon perusal of the Report herewith enclosed to you, and I feel satisfied that any impression you entertain to the contrary, as arising from less authentic sources, will be removed, and that you will agree to admit the Mistouche, pointed out on the Map of the Arbitrators and the other official documents above enumerated, (all of which I have with me for your inspection), as the River intended in the Act of Parliament which we are now to carry out, and hope with the unanimity that has marked our progress.

I have dispatched Mr. Bois with the Indian guide to hand you this hurried letter, while I must return to my camp at the Mistouche, where I will commence observations for latitude and time with the sextant and chronometer, the only instruments I have got with me. I may also fix the stations up the River, until you and Major Robinson join me to confer together on the subject of the Boundary.

I have left a letter with Smith, the store keeper at the Patapedia, for Major Robinson when he arrives from Campbellton, and when we meet at the Mistouche I will take occasion to communicate to you further details connected with the public service.

With the highest consideration,

I remain, my dear Sir, yours very sincerely,

(Signed)

JOS. BOUCHETTE.

(Copy)

APPENDIX C. No. 2.

W. R. Lt. Col. R. E.
A. E. B.21 miles up *Mistouche* or *Patapedia*,
July 6, 1854.

DEAR SIR,—Mr. Bois this moment handed me your letter of the 4th instant. I regret exceedingly that the Commissioners could not have met at Campbellton previous to any arrangement having been made as to the formation of the depots on this portion of the boundary service.

When however I found that Major Robinson intended to proceed to Fredericton before he came on, and would in consequence be delayed, I deemed it advisable as the water was getting low in the rivers, to have a depot established on the *Mistouche*, at the intersection of the 48th parallel, and ascertaining that Tracy's Brook was overlapped by branches from this river and the *Kedgwick*, I was of the opinion that that stream could not be the river designated as the "*Mistouche*" by the Arbitrators, and this opinion is confirmed by an examination of the Map attached to the award of the Arbitrators, which lays down the "*Mistouche*" as the only large tributary of the *Restigouche* between the *Kedgwick* and *Matapedia* Rivers, and as containing islands. Now it is a geographical fact that this river is the only principal one which answers to that description, and that Tracy's Brook is but a small stream, and is not navigable at the 48th parallel even if its source should extend as far.

As satisfied as I am that this river is the true "*Mistouche*" designated in the Act of the Imperial Parliament, I should not have gone to the expense of making a depot of provisions at the intersection of the 48th parallel latitude without consultation with you, or without having the opinion of Major Robinson on the subject.

After the Major's arrival at Halifax, finding he would be late in meeting us at Campbellton, he wrote to me suggesting the course I have adopted, and requesting me to inform you of what his opinion was as to the river designated as the *Mistouche*, as he supposed you would be at Campbellton at the same time.

When I left the latter place to ascend the *Restigouche* River, I fully expected to meet you on your way down, but when I arrived at the mouth of this river I was disappointed in not meeting you, and on enquiring of some Indians who had come down from the *Kedgwick*, I found you had not arrived there at that time. As I had employed men with a scow and horses at a considerable expense by the day, and as the water was getting low, I decided for the reasons I have previously urged to have the stores forwarded up this river.

I trust you will not imagine that there was any want of courtesy towards you in the course I have adopted in the difficult position in which I was placed, and however we may differ in opinion upon any of the points submitted for our decision, I feel satisfied it cannot interrupt the cordial feeling which has hitherto existed between the Commissioners.

I beg to suggest that you and I should meet Major Robinson at Simon Collick's, on Saturday afternoon, as the most convenient place of rendezvous for consultation; for that purpose I shall leave this on Saturday morning.

I have been taking some observations, and find that I am a little to the southward of the 48th parallel, but as the night bids fair to be favourable, I shall be enabled to speak more certain on the subject.

I have no doubt Major Robinson will arrive on or before Saturday.— Hoping to have the pleasure of seeing you soon,

I remain, &c. &c. &c.

(Signed)

H. E. BOTSFORD.

Jos. Bouchette, Boundary Commissioner, &c. &c. &c.

Boundary Line Service, Quebec, 30th August 1854.

SIR,—A difference of no inconsiderable importance having arisen between the Commissioners appointed under the Imperial Act, 14th and 15th Vic. cap. 63, to trace and mark the Line of Boundary between the Provinces of Canada and New Brunswick, agreeably to the award of the Arbitrators referred to in the said Act, which appears to me to resolve itself into a question of Law, I take occasion of my being at Quebec for the purpose of placing in course of preparation the Maps to accompany the Report of the Commissioners to Her Majesty's Government and the Governments of Canada and New Brunswick, to have the honor of submitting to you as Her Majesty's Attorney General for Lower Canada, the following particulars of the difference above alluded to, and to respectfully solicit your opinion on the subject, which will serve to remove any apparent obstacle to an amicable adjustment of the Line of Boundary between these Provinces, agreeably to the intent of the Act above cited, and in accordance to the following extract of the award of the Arbitrators:—

“Thence along this meridional line to the 48th parallel of latitude, thence along that parallel to the *Mistouche* River, and thence down the centre of the stream of that River to the Restigouche, thence down the centre of that stream of the Restigouche to its mouth, in the Bay of Chaleurs;”—New Brunswick would be bounded on the east by the river called *Mistouche* River from the parallel 48th to the River Restigouche, in the manner described in the Map accompanying the said award, and referred to in the 1st Article of the said Imperial Act, representing the mouth of the *Mistouche* River to be situate about 2½ miles above Still Water Brook, discharging on the northerly side of the Restigouche.

The river *Mistouche*, explored by the undersigned, does not however attain the 48th parallel, its source only reaching 47° 54' 30", and therefore would fail intersecting by a line running east from meridian line along the said 48th parallel of latitude, but the line does intersect farther east another river called by the Indians, and well known as the River *Patapedia*, or by lumbermen called *Patapeja*, discharging into the River Restigouche about 11½ miles below the mouth of the *Mistouche* River.

This river the Commissioner from New Brunswick, the Honorable A. E. Botsford, considers to be the river intended by the Act of Parliament as the boundary between Canada and New Brunswick, which the third Commissioner, Wm. Robinson, Esq. Major Royal Engineers, appears to confirm, for the reason that from its superior width it appears to be the river intended by the Arbitrators, a river which should be intersected by the 48th parallel, and that the Map of the Arbitrators is erroneous in placing its mouth above Still Water Brook, whereas the *Mistouche* River, otherwise called “Tracy's Brook,” is a small stream which does not fulfil the conditions prescribed in the Act of Parliament; besides that the said river *Patapedia*, on Wells' Map, is called the *Mistouche* River, from the name of the lake from which it takes its source.

The above views no doubt offer strong grounds for its adoption as the boundary stream, and there is no other river short of the Kedgwick River on the west, or the Matapedia River on the east, that presents the same advantage, nevertheless the river thus assumed as the boundary is not the river Mistouche named in the award, but is truly a different and distinct river.

That there may have been a mistake or error of information on the part of the Arbitrators in naming the river, even admitting it as probable, the circumstance nevertheless involves some sixty thousand acres against Canada, part of which may be found to interfere with the Seignory of Cloridon, belonging to the Crown by "Droit de retrait," whilst on the other hand questions of jurisdiction between the Provinces of New Brunswick and Canada, as regarding the river Patapedia as the assumed boundary, may arise, calling into doubt the validity of such assumption by the Commissioners, or a majority of them, in deviating from the absolute letter of the Act of Parliament, unless some Act by the Imperial Parliament declared it to be the boundary between the said Provinces.

From the above stated premises, which I have further illustrated on the accompanying sketch, you will at once appreciate the reason of my addressing you as the highest legal opinion I can appeal to under existing state of things.

I have the honor to be, Sir,

Your obedient servant,

(Signed)

JOS. BOUCHETTE,

Commissioner for Canada.

The Hon. L. S. Drummond, H. M. Attorney General, &c. &c. &c.

(Extract)

APPENDIX C. No. 3.

W. R. Lt. Col. R. E.

A. E. B.

Quebec, 7th September 1854.

MY DEAR SIR,—I take occasion of the first Mail leaving this for Campbellton, to enclose you copy of the Attorney General's written opinion on the subject of the Mistouche, with copy of my letter to him communicating the circumstance of the existing difference between us, relative to that river and the Patapedia.

(Signed)

JOS. BOUCHETTE.

Major W. Robinson, B. E., H. M. Boundary Commissioner.

(Copy)

APPENDIX C. No. 4.

W. R. Lt. Col. R. E.

A. E. B.

Camp next Kedgwick River, October 12, 1854.

DEAR SIR,—I beg to acknowledge the receipt of your communication dated Quebec, September 7th 1854, forwarding me the copy of a letter which you had addressed to the Honorable the Attorney General for Lower Canada, on the subject of the difference of opinion which has arisen between yourself and the other two Commissioners of Boundary, as to the true Mistouche River, together with the copy of the opinion given by him in reply.

I need not explain to you the cause of the delay in my receiving this letter with its enclosures, because you yourself became the bearer of it to this place from the Post Office

Office to which it had been missent, and where it had been waiting for an opportunity to be forwarded to me.

As without the sketch which accompanied your letter to the Attorney General, a full understanding of the case submitted to him cannot well be arrived at, I beg leave to request from you a copy of it.

In the mean time I take this opportunity of stating in reference to that part of your letter which refers to me individually, that my opinion as to the river struck by the parallel of 48, which has been fixed upon and marked by the majority of the Commissioners as being the true river Mistouche of the Arbitrators, and of the Map accompanying their award, is founded not only upon magnitude (length of course and breadth of stream) as well as eligibility—but also upon the official Maps drawn up in the offices of the Surveyor Generals both of Canada and New Brunswick, which were transmitted from the Colonial Office in London, for the information of the Commissioners appointed in 1846 by Her Majesty's Government to report upon the disputed boundary, and made use of by them in the compilation of their Map upon which the Arbitrators in London made their award.

Both the Maps agree in representing one large river, and one only, situated between the Kedgwick and Matapedia Rivers, as extending to the 48th parallel, having its source in the highlands overlooking the Saint Lawrence, and discharging its waters into the Restigouche River on the north side.

Both Maps agree in giving it the same name of "Mistouc," but they do not agree as to the point where it enters the Restigouche; the Map of New Brunswick placing it much farther to the eastward than that of Canada does.

A Map of Canada, published in 1843 by James Wyld, the well known Geographer in London, gives the same river with the same name of "Mistouc," and makes it enter the river Restigouche in the same manner and same place as shewn on the Map of the Arbitrators. Another official Map published at Washington in 1843, and compiled by officers of the United States Corps of Topographical Engineers, from explanatory surveys made by them in these highlands, give the same point of entrance, but call it Matamaga river, which is an approach to Patapedia or Patapaja of the lumbermen, who together with the Indians, are with rare exceptions the sole visitors of these rivers, and often change the old names given by the Indians to others better suited to themselves.

This point of discharge however as shewn by these two Maps, and others might be quoted but it is unnecessary, because it is now known that in this particular they are incorrect, and the entrance into the Restigouche should be placed more to the eastward than shewn on the Map of the Arbitrators; but the difference caused thereby would be so unimportant, and on the Map on the scale to which it was drawn would appear so small, that it is highly improbable it would have affected their selection.

Having for certain reasons specified in their report determined to carry the boundary east of the Kedgwick, they selected the next River struck by the parallel of 48°.

The unforeseen choice of this tributary River as the Boundary, has given it an importance which it did not then possess and would not otherwise have attained. I have little doubt, but I have not the means of reference by me, that most of the best Maps published in Canada agree generally as to the stream, its size and its name, but differing from each other in some of the details as to rise, course and discharge.

But

But these discrepancies do not extinguish the name and the actuality of the river itself. Nor can the single instance in one Map which you possess, which applies the words "Tracy's Brook" or "Mistouc River" to a comparatively insignificant stream, so small as not to have been mentioned by name in any of the documents before quoted, be deemed sufficient to overturn the name of the river applied to it by so many other authorities, and thereby defeat the undoubted intentions of the Arbitrators.

These differences are merely the errors of the compilers, arising from the want of proper surveys.

Until this year I believe no survey was ever made of the River Mistouc, and that has been done by our parties, not from the mouth to its source, but to a few miles only beyond the point where the 48th parallel strikes it.

The Honorable the Attorney General says the names of the rivers must be taken from the plan annexed to the award of the Arbitrators, and specially mentioned in the Imperial Act.

Now the small stream known as Tracy's Brook is not set down at all on that Map, I consider therefore that the Commissioner for New Brunswick and myself have fixed upon the true river Mistouche of the Map and of the intentions of the Arbitrators, notwithstanding that the river is now generally called on the spot, Patapedia River or Patapaja.

I should make this letter too long were I to pursue the subject further at present. I defer doing so until I have an opportunity of conferring with our colleague Mr. Botsford.

Believe me, Sir, yours, &c. &c. &c.

(Signed)

WM. ROBINSON, *Major Royal Engineers,*
H. M. Commissioner of Boundary, &c.

Joseph Bouchette, Esq. H. M. Commissioner for Canada.

(Copy)

APPENDIX C. No. 5.

W. R. Lt. Col. R. E.
A. E. B.

S. W. Angle Signory of Madawaska,
November 8th 1854.

DEAR SIR,—On my arrival at Edmonston on the 5th instant from Fredericton, Major Robinson handed me a copy of your communication to the Honorable Attorney General Drummond, dated 30th August, on the subject of the Mistouche, accompanied by his reply.

Had I received these documents at an earlier day I should have written to you before. I now feel it my duty to object to the manner in which you stated the case to obtain the Attorney General's opinion, and at the same time to set forth a few of the reasons which influenced me in coming to the decision I did in the matter, and to which you still seem to dissent.

I cannot agree with you that the selection of the river designated in the award of the Arbitrators as the "Mistouche," is a question of law requiring the legal opinion of the Law Officers of the Crown. It is simply a question of fact, which the Commissioners alone are empowered to decide.

The sketch which accompanied and illustrated your letter to the Attorney General, Mr. Drummond, is calculated in my opinion to give a very erroneous impression as to

to the intentions of the Arbitrators; inasmuch as you have traced on it two Rivers, calling one the "Mistouche," and the other the "Patapedia," thus in fact deciding the whole question at issue, and assuming that the other two Commissioners are wrong in their decision; while on the original Map of the Arbitrators annexed to their award, there is but one River laid down between the Kedgwick and the Matapedia Rivers, and that one extending beyond the 48th parallel.

I assume it to be a correct position, where doubts exist as to the true meaning of a document, that we should refer to the authorities which were before, and it is reasonable to suppose influenced the Arbitrators in the performance of their duty.

With this view I refer you to the following official Maps, containing as they do conclusive proof as to the true River Mistouche intended by the Arbitrators:—

No. 1. A Map of Canada published 1843, by James Wyld, London.

No. 2. A Map compiled by A. Wells, Esquire, when appointed Commissioner for Canada to adjust the Boundary between it and New Brunswick, which lays down the River "Mistouche" in every particular the same as that called the Patapedia in your sketch prepared for Mr. Attorney General Drummond.

No. 3. Map by A. Wells, comprehending the territory adjacent to the unsettled Boundary between the Provinces, including also the Restigouche River, drawn from actual surveys.

This Map traces the River which Major Robinson and myself have fixed on as the Mistouche of the award in the most accurate manner, and designates it as the "Mistouche;" Tracy's Brook is correctly laid down as a small stream, but it is too insignificant to be named by him.

No. 4. A Map of New Brunswick and territory in dispute between it and Canada, prepared under the direction of the Honorable Thomas Baillie, Surveyor General and Commissioner of Crown Lands in 1843, who was also appointed Commissioner on the part of New Brunswick to settle the Boundary between these Provinces.

This Map agrees with Mr. Wells' in having but one River drawn between the Kedgwick and the Matapedia called the "Mistouc," and which is made to join the Restigouche River some miles to the eastward of Still Water Brook.

No. 5. A Map shewing the various proposals for the adjustment of the territory in dispute between Canada and New Brunswick, prepared by Mr. Aaron Smith, 12th September 1845.

This Map also shews but one River between the Kedgwick and the Matapedia, which is called the "Mistouche." It is represented as taking its rise in a Lake (Mistouc), and its course, as well as that of its tributary "Polland's Brook," are correctly laid down, which clearly identifies this River as the same as that called by the lumbermen "Patamaja;" the only error seems to be that its entrance into the Restigouche River is represented as being further to the west than is found to be the case upon a more correct survey.

It is not however very extraordinary that in a wilderness country not yet properly surveyed, Maps should differ from each other as to some of the details as to rise, course and discharge of its Rivers, but these discrepancies cannot extinguish the name and the "actuality" of the River itself.

I am informed that all these Maps to which I have referred, with the exception of that by Wyld, were officially transmitted from the Colonial Office for the information

of the Commissioners appointed in 1846 by Her Majesty's Government to report upon the disputed boundary and made use of by them in the compilation of their Map, upon which the Arbitrators in London based their award.

All these Maps, together with the Map annexed to the award of the Arbitrators, agree in representing but one large River designated as the "Mistouc" and "Mistouche," between the Kedgwick and the Matapedia Rivers, having its rise in a lake named even in your own Map of Canada "Mistouc."

I believe it will not be disputed that there is in fact but one large River between the Kedgwick and the Matapedia Rivers extending north to the 48th parallel. It is equally certain that it was the intention of the Arbitrators to select a tributary of the Restigouche River as a portion of the boundary between the Provinces, which would be intersected by the prolongation of the 48th parallel from the Kedgwick River.

The appointment and powers of the Commissioners under the Imperial Act, 14th and 15th Vic. cap. 63, and the manner in which they should carry out the award, are thus defined:—

"It shall be lawful for one of Her Majesty's Principal Secretaries of State to appoint such person or persons as he may think fit, to ascertain, define and mark the Boundary Line between the said Province of New Brunswick and the said Province of Canada, according to the intent of the said award."

I confess I cannot see any force in the argument that because this River has been indifferently called at various times the "Patapedia," the "Patapajan" and "Matapajan," it cannot therefore be the Mistouc or Mistouche of the Arbitrators, though so termed in all the official authorities to which I have previously adverted.

"Mr. Attorney General Drummond in his opinion states that the names of the Rivers must be taken from the plan annexed to the award of the Arbitrators, and specially mentioned in the Imperial Act."

Admitting this opinion to be the criterion by which the Commissioners should be governed in the performance of the responsible duties devolving upon them, I humbly contend that in selecting the "Mistouche," Major Robinson and myself have strictly adhered to it, for the following reasons, viz:—

1st. The small stream known as Tracy's Brook, which you assume to be the Mistouche of the award, is not even set down on the Map of the Arbitrators, and does not extend to the 48th parallel, nor is this Brook noticed in any of the official documents which must have been before the Arbitrators, excepting Mr. Wells' Map No. 3, where it is laid down, but not deemed of sufficient importance to be named; while the "Mistouc" is distinctly defined and occupies upon the face of the Map the exact spot, and is the identical River called by the lumbermen "Patapajan."

2nd. By the Map annexed to the award it is evident that the Arbitrators selected the only River between the Kedgwick and the Matapedia Rivers which extended as far north as the 48th parallel, which upon reference to the official Maps before them they found to be called the "Mistouc" or "Mistouche."

3rd. The River fixed upon by the majority of the Commissioners is identical with the River laid down both in Mr. Wells' and Mr. Baillie's Maps, (previously referred to as No. 2, 3, & 4,) and named by both the "Mistouc," and having its entrance into the Restigouche River to the eastward of Still Water Brook.

Now when it is considered that these Maps were drawn up in the offices of the Surveyor

Surveyor Generals of Canada and New Brunswick, prepared under the supervision (and it may be presumed compiled from the most authentic sources) of the two gentlemen selected for their knowledge of the subject to adjust the Boundary in dispute between Canada and New Brunswick, I submit they are the best authority that the case admits of.

In arriving at the conclusion I have as to what River should be established as the true "Mistouche" of the award, I have not been influenced by any unworthy motives of obtaining additional territory for New Brunswick to which she was not justly entitled under the award, and I frankly admit, however strong an opinion I may have formed on this subject, and however much I might have regretted it, still I should have felt it to be my duty to have bowed to Major Robinson's decision, had it been adverse to mine, well knowing that my Government are anxious to have this long pending and difficult question finally adjusted without the necessity of a further reference to them.

I have only to add that I cannot admit that the majority of the Commissioners have deviated from the absolute letter of the Act of Parliament, and in the discharge of this troublesome part of our duty, as well as in every other portion, we have I conceive fulfilled it to the letter, though we have been so unfortunate as to differ with you on this point, which I can assure you is the cause of much regret to

Yours, &c. &c.

(Signed)

A. E. BOTSFORD,
Boundary Commissioner.

Joseph Bouchette, Esq. H. M. Commissioner Boundary.

No. 2.

Correspondence with the Secretary of State on the subject of the Boundary between Canada and New Brunswick.

(Copy)—No. 17.

Downing Street, January 24th, 1856.

SIR,—I have to acquaint you that I have received the Report of two of the Commissioners appointed to define and mark the Line of Boundary between the Provinces of Canada and New Brunswick.

As I observe that the Commissioners have furnished you with a duplicate of this Report, I shall defer any proceedings upon it until I am in possession of your views on the subject.

I have, &c.

(Signed)

H. LABOUCHERE.

(Copy)—No. 29.

Downing Street, March 26th, 1856.

SIR,—With reference to my Despatch of the 24th January last, on the subject of Canada and New Brunswick Boundary, I transmit you copy of a separate Report, which I have received from Mr. Bouchette, together with a copy of a Despatch which I have addressed thereupon to Sir E. Head.

I have, &c.

(Signed)

H. LABOUCHERE.

His Excellency the Lieutenant Governor, New Brunswick.

[Enclosure.]

(Copy)—No. 64.

Downing Street, 26th March 1856.

SIR,—With reference to my Despatch of the 24th January last, on the subject of the Canada and New Brunswick Boundary, I have now received from Mr. Joseph Bouchette, one of the Commissioners, his special and separate Report, of which I transmit you a copy, as I do not observe that Mr. Bouchette states that he has furnished you with one. The enclosures, which are voluminous, I retain for the present, until I receive your answer to my Despatch of the 14th January, as until then I can hardly judge what use it may be necessary to make of these documents.

You will not fail to observe that neither Her Majesty's Government nor the local Government appear to be competent to take any further step in this matter, the Act of Parliament 14th and 15th Victoria, c. 63, having left the power to "ascertain, define and mark" the Boundary Line wholly to the Commissioners appointed under it. Under these circumstances I can only regret the difference of opinion which appears to have arisen between Mr. Bouchette and the two other Commissioners, without in any way pronouncing a judgment respecting it. I should think it unfortunate if the settlement of a question so long pending were farther delayed on account of a question which is apparently of no practical importance, regarding only a very small tract of land. Mr. Bouchette has however very frankly offered in this letter to waive this difference so far as to sign the Report of the other two Commissioners, if his exceptions may be recorded. To this I should see no objection whatever, provided only the legal effect of the Report as a determination of the question under the Act of Parliament were preserved unimpaired. But on this and the whole subject I await for the present further advices from yourself.

I have, &c.

(Signed)

H. LABOUCHERE.

His Excellency the Lieutenant Governor, New Brunswick.

(Copy)—No. 20.

Saint John, New Brunswick, September 17, 1856.

SIR,—With reference to your Despatches of the 24th January, No. 17, and of the 26th March, No. 29, I have the honor to inform you that the separate Report of Mr. Bouchette, one of the Commissioners appointed to define and mark the line of Boundary between Canada and New Brunswick, was referred by me to the Surveyor General of this Province for his observations thereon. I transmit to you a copy of these observations, which have been approved of by me in Council, and are therefore to be regarded as expressing the opinion of the Government of the Province.

I have, &c.

(Signed)

J. H. T. MANNERS-SUTTON.

Right Honorable H. Labouchere, M. P. &c. &c. &c. Colonial Office.

[Enclosure.]

(Copy)

Crown Land Office, 30th July 1856.

SIR,—In reference to the accompanying special Report made to the Right Honorable the Secretary of State for the Colonies, by Joseph Bouchette, Esq. one of the Commissioners appointed under the Imperial Act, 14 and 15 Vic. cap. 63, to ascertain, define,

define and establish the Line of Boundary between Canada and New Brunswick, in which Mr. Bouchette states his reasons for declining to sign the Report and Maps of his colleagues,—

I have the honor, for Your Excellency's information, to observe that Mr. Bouchette's chief cause of dissent from the decision of the other Commissioners was as regards the position of the River Mistouche.

The arguments on both sides are given at great length, and need not be by me here recapitulated. Two of the Commissioners, Lieutenant Colonel Robinson and the Honorable Mr. Botsford, are of opinion that the stream hitherto also known as the Patapedia is the Mistouche; whilst Mr. Bouchette contends that the Mistouche is another very inconsiderable stream called Tracy's Brook.

The three Commissioners were duly appointed by the Secretary of State for the Colonies, in accordance with the 1st Section of the Imperial Act, to "ascertain, define and mark the Boundary Line," according to the intent of the award of the Arbitrators.

Two of these Commissioners, constituting a majority, accordingly on the 18th of December last, reported that they had ascertained, defined and marked out the Boundary between Canada and New Brunswick. Their Report, accompanied by Maps, was made in triplicate, and one copy thereof signed by them was duly filed in this office. They agreed upon a Boundary agreeable to the *intent* of the Act, and it will appear from the correspondence that none other was practicable.

The Report made by a majority of the Commissioners is undoubtedly binding and final; the Boundary between Canada and New Brunswick is at length happily established; and it appears to me that the whole question in regard to that subject between the two Provinces is now closed.

(Signed)

I have, &c.

JOHN MONTGOMERY,
Surveyor General.

The Hon. John H. T. Manners-Sutton, Lieut. Governor, &c. &c. &c.

(Copy)—No. 1.

Downing Street, 1st January 1857.

SIR,—With reference to previous correspondence, I transmit for your information a copy of a Despatch from the Governor of Canada, enclosing a Minute of Council adopting the Report of the Commissioners appointed to define the boundary between that Province and New Brunswick. It will probably be necessary to introduce (as suggested by Sir Edmund Head) a declaratory Bill into the Imperial Parliament early in the approaching Session.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieut. Governor, Hon. J. H. T. Manners-Sutton, &c. &c. &c.

(Copy)—No. 166.

Government House, Toronto, C. W., Dec. 13, 1856.

SIR,—With reference to your Despatch of October 15th, No. 160, I have now the honor to enclose a copy of a Minute of the Executive Council of Canada approved by myself.

I apprehend that a short declaratory Act of the Imperial Parliament would satisfy the wish of my Council, and would not be objected on the part of New Brunswick, as it would merely confirm the final action of the Commissioners.

I have, &c.

(Signed)

EDMUND HEAD.

The Right Hon. H. Labouchere.

Copy of a Report of a Committee of the Executive Council, dated 12th December 1856, approved by His Excellency the Governor General.

The Committee have had under consideration a Report dated 5th September 1855, from the Honorable the Commissioner of Crown Lands, in relation to certain questions in dispute between the Commissioners appointed to run the Boundary Line between Canada and New Brunswick under the Imperial Act 14 and 15 Vic. Cap. 63.

They have also had before them a subsequent Report from the Commissioner of Crown Lands, transmitting certain resolutions passed by the Municipal Council of the County of Bonaventure, having reference to that part of the line which has been so made the subject of disagreement between the Commissioners.

The applicants complain that the Commissioners, instead of complying with the terms of the Imperial Act requiring them to take the River Mistouche as the Boundary, wish to adopt the Patapedia, a stream running 34 miles below the Mistouche, as the line of division, thereby depriving the County of Bonaventure of a portion of its most valuable land.

The question alluded to in the said petition has been discussed at some length in the Report of the Commissioner of Crown Lands of 5th September 1855, and the Committee, after attentive consideration of that Report, concur in opinion with the Commissioner that an error has been committed; but as the territorial question involved is not of such importance as to create any serious obstacle to the adoption of the views apparently entertained by a majority of the Commissioners, the Committee would recommend that the Patapedia be accordingly recognized as the future line of Boundary; and as questions of jurisdiction of the one Province or the other over the portion of territory above alluded to may hereafter be raised, they recommend that the line so adopted be legally established, and that the Patapedia be so designated as to leave no ground for future doubt or difficulty in that important particular.

Certified.

W. H. LEE.

(Copy)—No. 6.

*Government House, Fredericton, New Brunswick,
February 6th, 1857.*

SIR,—I have the honor to acknowledge the receipt of your Despatch marked in the margin* and of its enclosure. I laid these documents before my Council, and requested their opinion upon the subject to which they relate, and I now have the honor to forward to you a copy of a Memorandum of the Executive Council in Committee respecting it, which has been approved by me.

I have, &c.

(Signed)

J. H. T. MANNERS-SUTTON.

* January 1, 1857, No. 1.

Right Honorable H. Labouchere, M. P., &c. &c. &c. Colonial Office.

[Enclosure.]

(Copy)

Memorandum of the Executive Council in Committee.

The Executive Council in Committee having had under consideration Mr. Labouchere's Despatch of the 1st January 1857, and its enclosures, desire to observe that it appears to them that in adopting the River Patapedia or Mistouche as the Line of Boundary

Boundary between Canada and New Brunswick, the Commission appointed to define and mark out that Line of Boundary carried into effect the spirit of the award of the Arbitrators. For while the course of the River referred to closely corresponds, with the exception of a slight deviation at its mouth, with that of the River Mistouche as marked in the award of the Arbitrators, neither the stream which is commonly called the Mistou or Tracy's Brook, which stream does not even cross the 48th parallel, nor any other real stream or river in the vicinity exhibits any such resemblance to the River Mistouche of the Arbitrators as could lead to the impression that it was the River intended by the Arbitrators to form the Boundary Line.

The Council in Committee would further remark, that the Imperial Act which establishes the Boundary Line between Canada and New Brunswick, follows the award of the Arbitrators, and leaves no appeal from the action of the Commission, whose duty it was to mark out and define that line.

The Council therefore would not be prepared to admit that the line which has been marked out and defined by the Commission as represented by a majority of the Commissioners, is not *ipso facto* the Line of Boundary established by Law. But it appears that the Government of Canada entertain some doubt on this point. It is very desirable to prevent any future misunderstanding or contest respecting it; and the Council concur in the opinion that this object would be best attained by the enactment of a declaratory law to be passed by the Imperial Parliament confirming the decision of the Commission.

(Signed)

R. D. WILMOT,
J. H. GRAY,
J. MONTGOMERY,
JOHN C. ALLEN,
FRANCIS M'PHELM,

Right Honorable H. Labouchere, M. P. &c. &c. Colonial Office.

(Copy)—No. 7.

Downing Street, January 23rd, 1857.

SIR,—With reference to former correspondence on the subject of the Boundary arrangement between Canada and New Brunswick, I transmit to you copy of a letter which I have caused to be addressed to the Commissioners, and which I will thank you to furnish to Mr. Botsford.

I have, &c.

(Signed)

H. LABOUCHERE.

His Excellency the Lt. Governor, &c. &c. New Brunswick.

(Copy)

Downing Street, 23rd January 1857.

GENTLEMEN,—I am directed by Mr. Secretary Labouchere to inform you that after receiving your letter of the 18th December 1855, reporting your proceedings as Commissioners for ascertaining the Boundary established by the Act 14 and 15 Vic. c. 63, between Canada and New Brunswick, he thought it necessary to enter on a fresh correspondence on the subject thereof with the Governor of Canada and Lieutenant Governor of New Brunswick, in order to come to a definite arrangement on the questions raised between yourselves in the course of the investigation.

Without troubling you with a detail of the correspondence which followed, I am to send

send you copy of a Despatch received from the Governor of Canada, enclosing a Minute of the Executive Council, from which you will observe that these questions have been brought to a satisfactory termination.

It is only necessary therefore for Mr. Labouchere to convey to you the expression of his thanks, on the part of Her Majesty's Government, for the zeal and industry with which you have executed the duty committed to your charge.

I have, &c.

(Signed)

J. BALL.

Messrs. Robinson, Botsford and Bouchette.

No. 3.

First Report of the Commissioners (Messieurs Cutler and Dawson) appointed to enquire into the Disputed Territory Fund, and the respective claims thereon.

Toronto, 30th April 1856.

SIR,—I have the honor to transmit herewith, for the information of His Excellency the Governor General in Council, the Report made by R. B. Cutler, Esq. as Commissioner for New Brunswick, and myself as Commissioner for Canada, (of which a duplicate has already been laid before the Government of New Brunswick,) on the funds accrued from the Disputed Territory, and the claims and bonds connected therewith, which we were appointed to enquire into.

I would beg to add that I have met with the most considerate and courteous treatment on the part of the Government of New Brunswick, and my colleague the Commissioner for that Province, and a spirit of compromise and conciliation in all my communications with them, which I trust will continue to characterize all future intercourse between the Provinces.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

WM. M'D. DAWSON, *Commissioner.*

Hon. Geo. E. Cartier, Provincial Secretary, &c. &c. Toronto.

Report of the Commissioners appointed to enquire into the state of the Funds accrued from the "Disputed Territory."

The undersigned Commissioners, appointed by the Governments of Canada and New Brunswick respectively, to investigate and report upon the funds accrued from the Territory heretofore in dispute between these Provinces, and upon all questions of bonds to be prosecuted and enforced, or claims to be remitted, in connection therewith, having come to an amicable understanding on the subjects submitted for their consideration, and being entirely of accord upon the various matters at issue, have the honor to submit a joint Report for the information of their respective Governments.

The first object which engaged the attention of the Commissioners, naturally, was to determine what really constituted the "Disputed Territory."

On this head, therefore, it appears that the dispute existed as early as 1785, but, although the territory between the Grand Falls of the Saint John and the Temiscouata

Portage

Portage was then the ground of the active controversy, yet no distinct lines of demarkation appear to have been laid down by either of the Provinces as the limits of their respective claims.

At a later period, when the dispute was likely to have resulted in the exercise of antagonistic jurisdiction by the two Provinces, a temporary provision was made by the Imperial Government, as per Despatch from Sir G. Murray of 8th April 1830, by which jurisdiction was given, or confirmed, to New Brunswick, over the settlement along the Bank of the River Saint John, but positively restricted from extending up the Madawaska; and jurisdiction was given, or confirmed, in like manner to Canada, over the Madawaska Territory, quite down to the grant to Simon Hebert at the mouth of the Madawaska River. There does not, however, at this period, any more than at the former period referred to, appear to have been any distinct definition on the part of either of the Provinces of the actual extent of their respective claims.

Soon after the Treaty of Washington, by which, in 1842, the Boundary between the British Provinces and the United States was settled, the old controversy between the Provinces again broke out and resulted in an antagonistic action, which is the more to be regretted, inasmuch as it involved private individuals, engaged in the lumber trade, to whom the one Government in the name of the Queen granted rights, which the other Government in the name of the Queen refused to recognize, and who, unable to procure protection from either, were subjected to most serious and in some cases even ruinous losses.

In consequence of the warmth of the controversy at this period, and the results to which it gave rise, Commissioners were appointed, (viz. the Honorable Thomas Baillie on the part of New Brunswick, and Alphonse Wells, Esquire, on the part of Canada), with a view to determine the Boundary by a conjoint investigation of the subject and inspection of the country.

This Commission not only failed in its object, but, from causes which it is not now necessary to revert to, the Commissioners proceeded from the first adversely and without any consultation or conjoint action, the result of which was that each produced a separate Report, representing views as diametrically opposed to the other as the subject would admit of.

Both Commissioners, however, appended to their Reports maps or sketches of the disputed Territory, illustrating and defining the boundaries respectively claimed by them, and thus appears the first distinct definition of these claims; the line laid down by Mr. Baillie being admitted by Mr. Wells as the boundary claimed by New Brunswick, and the line laid down by Mr. Wells being admitted by Mr. Baillie as the Boundary claimed by Canada, both which claims were in fact subsequently sanctioned and maintained by their respective Governments.

Messieurs Wells and Baillie having failed to agree upon a Boundary, the next step was the appointment of Imperial Commissioners for the purpose of defining it, but while they also failed to come to a decision, they produced a map on which they laid down the line of Boundary claimed by either Province, and which represented the same lines exactly as those represented on the maps of Messieurs Wells and Baillie, excepting as respects the starting point of the New Brunswick claim at the Bay Chaleur.

The Boundary claimed by New Brunswick commenced on the north side of the

Restigouche River, nearly opposite Campbellton, according to Mr. Baillie, or at the Trucadegash Mountain, according to the Imperial Commissioners, and extending thence northerly to the height of land between the rivers falling into the Saint Lawrence and those falling into the Restigouche, and thence along the said height of land and a continuation thereof between the rivers falling into the Saint Lawrence and the Saint John, to the sources of the Chaudiere and the Saint John Rivers; and the line claimed by Canada commenced at the head of the Bay, east of Dalhousie, and extend along the height of land in rear of Dalhousie, embracing all the country drained by the Upsalquitch and Tobique Rivers and their tributaries to "Mars Hill."

This then was the actual state of the case when a legal Boundary was created by Act of the Imperial Parliament, (14 and 15 Vic., cap. 63,) and the Commissioners therefore deeming it to be no part of their duty to determine whether the claim of either Province was in any particular extreme, or otherwise, felt bound to take these lines as the *only* distinct definition of their claims ever put forward, and had no course open to them but to consider the whole space circumscribed thereby as the "territory heretofore in dispute," to which the Imperial Statute, in dealing with the question of the funds accrued therefrom, has reference.

The second point which presented itself for the consideration of the Commissioners was the nature of the funds to be investigated and the sources of revenue from which they were derived.

"The net proceeds of the funds in the hands of the local Governments of Canada and New Brunswick respectively, arising from the territory heretofore in dispute," being the terms in which the funds are referred to in the Imperial Statute, the Commissioners concluded that no limit was set by this to the period to which their investigation would go back; and that it neither confines their enquiry to any particular source of revenue nor to any particular portion of the territory, but extends it alike to all "the territory heretofore in dispute," to all the revenues, from whatever source, accrued therefrom, and to the earliest period to which any collections could be traced.

Having thus arranged the preliminaries, the next feature that presented itself to the Commissioners was that there appeared to be certain parts of the territory over which Canada had exercised exclusive jurisdiction, certain parts over which New Brunswick had exercised exclusive jurisdiction, and a part over which (after the Treaty of Washington) a conflicting jurisdiction was exercised, alike detrimental to the good feeling which ought to subsist between the sister Provinces, and ruinous as already stated to those whose interests were affected by it.

That portion of the territory over which Canada exercised exclusive jurisdiction has not been very fruitful in revenue; the total amount accrued therefrom could, though with some difficulty, be ascertained from the earliest period.

A part of that over which New Brunswick exercised exclusive jurisdiction, viz. on the Upsalquitch and Tobique Rivers, has been more or less a source of Revenue from a very early date, but the amount accrued having been absorbed in the ordinary revenues of the Province, to arrive at a satisfactory conclusion thereon would be extremely difficult, if not impracticable, and would certainly involve a tedious and expensive investigation which it might take years to complete, and which, when completed, could only be an approximation to the truth.

That part of the territory over which a conflicting jurisdiction has been exercised presents

presents greater facilities for enquiry, as the investigation of the funds accrued therefrom will be more circumscribed in point of time, this division of the territory having been formerly, for the most part, under the exclusive jurisdiction of Canada, as per Despatch of Sir George Murray, already referred to, and only became subject to the respective Governments after the Treaty of Washington, (only since which time, also, it has been fruitful in Revenue) upon the seizure in New Brunswick of the timber cut thereon under licences granted in Canada.

This question of the conflicting action of the two Governments necessarily involves a consideration of the serious consequences it imposed upon individuals whose just rights were invaded in the name of the same sovereign authority by which they were professedly granted; a course calculated to compromise most seriously the honor of the Crown, and the respect due to the authority exercised in Her Majesty's name.

In order, however, that a consecutive and intelligible narrative may be presented, although so brief as to form a mere outline of the past controversy, it seems necessary here to state that soon after the Treaty of Washington, applications were made to the Government of Canada for licences to cut timber on the Rivers Saint Francis and Cabaneau, with which that Government complied. The timber cut in virtue of these licences had to pass through the territory of New Brunswick to find a market, and by the Government of that Province was seized and confiscated as having been cut in trespass within her boundaries; the parties thus aggrieved appealed to Canada for protection, and then commenced the controversy, already adverted to, which proved ruinous to some of the individuals whose interests were involved. This active antagonism resulted in the ineffectual attempt to define the Boundary by Messrs. Wells and Baillie, who were appointed Commissioners for that purpose, the like ineffectual attempt to define it by Imperial Commissioners, appointed with the same view, and finally the arbitration and Act of the Imperial Parliament by which a Boundary was legally provided. In the mean time, however, parties continued for several years to obtain licences in Canada to cut timber, and were compelled to pay large fines and penalties in New Brunswick upon the passage of the timber to market.

The Commissioners would now advert for a moment to the Imperial Statute, 14th and 15th Vic. Cap. 63, for the purpose of considering its object in respect of the appropriation of the funds accrued from the disputed territory. "*The net proceeds*" the Commissioners conceive must mean whatever amount may remain of the total sums collected, after paying or refunding all just claims against these funds, a part of their duty being to determine whether and how far the claims preferred were just or otherwise. "*The net proceeds of the funds in the hands of the local Governments, &c.,*" in like manner must mean the total amount collected (after deduction of just claims as above) in whatever shape such amount has been invested, whether in a separate fund or in the casual or consolidated Revenues of the respective Provinces. This remark is necessary from the fact that Canada has kept no separate fund, but allowed the sums collected to pass into her ordinary revenues without note or comment, and the revenues of the years in which such collections were made having long since been all spent, it might be said in one sense that no such funds were "*in hand*" at the time of the passing of the Imperial Statute, but the Commissioners hold that the sums were by this course merely *invested* in the consolidated revenues of the Province, out of which, although she used them for the time being, she is of course obliged to reproduce them when

when required. New Brunswick on the other hand, at the time the antagonism between the Provinces became most active, after the Treaty of Washington, professed to place the amounts exacted from the lumberers in a separate fund, but this had reference only to a particular locality, a particular time, and a particular source of revenue, to none of which the question of the funds is confined, and even in this one particular, all the collections have not been accounted for to the separate fund, as in course of their investigations the Commissioners have discovered that considerable sums have been carried to account of her casual revenues, arising perhaps from the circumstance of variable forms of accounting having prevailed in that Province. New Brunswick is therefore, in like manner bound, besides her separate fund, to reproduce whatever sum, accrued from the disputed territory, she has carried to the credit of her casual revenues, as whether for the moment used or not it can only be considered as *invested*.

This, however, as already stated, it would be very difficult, if not impossible, for New Brunswick to do, as respects that portion of the territory from which revenue has been derived for the longest period.

In view, therefore, of all the circumstances, and in consideration of the difficulties attending a complete investigation, the Commissioners have come to the conclusion of recommending to their respective Governments such a compromise as they conceive might be effected with due regard to the interests of either Province and the just rights of individuals, and adhering at the same time, if not to the letter, at least to the spirit of the Imperial Act.

In considering the terms of such a compromise, the Commissioners could not but observe the desirability of limiting their investigation, so far as the above object could still be attained, to the period, the locality, and the source of revenue, in respect of which an immediate conclusion seemed practicable and concurring to close all enquiry in respect of past transactions, from an investigation of which no benefit could result to either Province at all commensurate with the time, labour and expense it would involve. Finding also that the limit that would thus be set to the investigation would include the period, the locality and the funds with which alone the question of private right is connected, they conclude to confine their enquiry to the position of the territory in respect of which a conflict of action took place between the two Governments from 1842 to 1851 inclusive, and to the questions arising out of such conflicting action.

This portion of the territory may be considered in two divisions, the first being that part of it which now indisputably belongs to New Brunswick, and the second being that part of it which now indisputably belongs to Canada. From the first, or New Brunswick part of this limited portion of the disputed territory, (lying entirely west of the "due north line,") but a small proportion of the funds to be considered, under the investigation thus restricted, have accrued; from the second or Canadian part, the bulk of these funds have accrued, but have mainly been collected in New Brunswick.

The sums collected by Canada, within the period stated, from the licences granted on this limited portion of the territory, amount, as per statement, to £2,586 9 4, of which over two thirds resulted from deposits of one fourth paid in advance upon timber authorized to be cut under these licences, and about one third from subsequent payments made in fulfilment of the conditions of the licences; besides which there are

Bonds,

Bonds, as per statement, taken at the time of granting the licences, of which however, in consequence of being unable to protect the timber from seizure in its passage through New Brunswick, payment has never been demanded by the Government of Canada.

The sums collected by New Brunswick within the period stated, and from the same limited portion of the territory, amount to £15,220 13 2, of which a large proportion has been in the shape of fines and penalties levied upon the timber cut under the licences granted in Canada. In arriving at the above amount the Commissioners have been careful to exclude every item they were not perfectly satisfied had accrued from the portion of the territory to which they agreed to confine their Report of the funds, but, from the circumstance of a uniform system not having been observed in keeping the Accounts, they will not undertake to say but what some other items may exist. Besides the above sums there are also Bonds held for further amounts, which the parties refuse to pay, claiming instead, that a part of what they have paid should be refunded to them.

As it was upon a petition from these parties that action was taken by a select Committee of the House of Assembly of New Brunswick, which resulted in the present Commission, it is reasonable to suppose that it should be deemed one of the most important objects of the investigation, and on this head the Commissioners have no difficulty in stating as the conclusion to which their enquiries have necessarily led, that parties who were in possession of licences sanctioned by Her Majesty's Representative in either Province, should be held to the conditions of those licences and no more, and that whatever fines or penalties have been exacted from them in excess of the price at which, by such licences, they bargained to obtain the timber, should be refunded; and all Bonds held for sums in like manner in excess of such price should be cancelled; at the same time, however, that Bonds, if any, for sums not so in excess, should be prosecuted and enforced.

In coming to this conclusion the Commissioners have been influenced by the fact that private individuals should not have been made the victims of a quarrel between the Provinces; they were not the judges of an abstruse question of boundary which had puzzled the best statesmen of Great Britain and America, (the nature of the difficulty being identical); it was enough for them that it was recognized British ground, and that they had the authority of a Government recognized as Her Majesty's Government, which was responsible to them for the power it assumed to exercise; and it is evident that if, instead of an arbitrary boundary having been created, a competent decision had been given on the merits of the question, they would have had their remedy against the Government that assumed to confer rights upon them, if it had not the power, or the Government that violated those rights, if properly conferred.

The question having however been made one of joint interest by the Imperial Act, it is evident on the one hand that Canada cannot in honor be a party to any appropriation of those funds, which would not involve the reimbursement of the fines and penalties imposed upon those who operated in virtue of her licences. Had the territory on which the licences were granted ultimately fallen to New Brunswick, Canada would have had to provide means to indemnify the parties; but as the territory, (with a very small exception) on which the licences were granted, has fallen to Canada, she is not subject to pay an *indemnity*, and cannot refund money which she never got; she can only throw into the common fund whatever she did get from the territory.

It is also evident, on the other hand, that New Brunswick, in like manner, is in honor bound to insist on such reimbursement in order to maintain her consistence in the principles propounded by herself at the time of the difficulties, as may be seen by the Minute of Her Executive Council of 11th November 1843, in which the right to *indemnity* from "the one or the other Government," according to the ultimate decision on the Boundary, is repeatedly insisted upon; and the fact of the Imperial Statute having made the funds a joint affair between the two Provinces cannot affect that right, but places it on the higher ground of being adjudicated upon by the joint action of both Governments.

This part of the subject cannot be closed without adverting to the expenses incurred by either Government in support of their real or supposed rights. New Brunswick having kept a separate fund, has appropriated a part of it to the payment of certain expenses; Canada has also expended money for similar purposes, but having no separate fund, the amounts do not appear in connection with the collections, and the Commissioners have not called for a statement thereof, because they conceive that the sums so expended by either Government were directly or indirectly for the purpose of maintaining their positions, and that they have obtained an equivalent in the extent to which their actual rights have ultimately been maintained or extended, and that the only charge admissible against the fund would be a per centage for collection. But even this, it will be seen, the compromise proposed will obviate, each Province being relieved from an accountability that would be much more onerous.

Having shewn the total amount of the funds accrued from the timber cut on the limited portion of the Disputed Territory, to which they recommend the question to be confined, it might be expected that the investigation of "all the claims to be admitted or Bonds to be prosecuted, &c.," being an essential part of their duty, the Commissioners would now be able to state the precise amount required to be refunded, but this they are unable to do for the following reasons, which they trust will be found satisfactory.

In order to afford the claimants a proper opportunity of substantiating their claims it would be necessary to give sufficient public notice that they would be heard at an appointed time and place. There may be some cases in which penalties were imposed on persons who do not appear as licence holders, but who nevertheless may have been operating in virtue of such licences, the only difference being that the timber had not gone to market in the name of the persons who held the licence, proof of which would of course require to be filed before such claim could be allowed.

The Commissioners, however, having only power "to investigate and report," and having found enough in the extent to which they have prosecuted their researches to enable them to affirm the principle that the claims should be entertained to the extent stated, felt that, until that principle should be sanctioned by their respective Governments, they could make no distinct promise that any money would be refunded, and could not therefore, with any degree of propriety, call upon the parties in the present state of the case to substantiate the items, involving as it necessarily would a good deal of time and expense, but leave this to be done when a Commission has issued conferring power to liquidate the claims at the same time. There is no difficulty, however, in stating approximately that the sums to be refunded may amount to from £5,000 to £6,000.

It may also be remarked, that the Bonds yet held (say £1,625 12 9) are in the same position as respects proof to be heard, and according as such proof is sufficient, or otherwise, they will be allowed in diminution of the sums to be refunded, or be still enforced in addition to the total amount of the funds accrued.

Having thus reviewed the case, therefore, in all its bearings, the Commissioners have the honor to recommend:—

First.—That, as certain parts of the territory heretofore in dispute have been, during certain periods, under the exclusive jurisdiction of the one Province or the other, each Province be relieved from accounting for the moneys accrued from those parts during such periods, and that the question of the funds now to be dealt with be confined to that part of the territory which was the scene of the active antagonism commencing in 1842-3, to the sums accrued therefrom on the single item of timber, and to the period extending from the first year above named to 1851, both inclusive.

Second.—That the Provinces being relieved from rendering any account of the larger, but more difficult to ascertain sums accrued from the other parts of the territory, shall account for the gross amount collected from the one item of timber and the limited portion of the territory referred to, without any deduction for expense of collection or otherwise.

Third.—That such gross amount shall be held to be intact, not admitting in the first instance even such charges as have been mutually agreed to by both Provinces, until the just claims of individuals, which shall be made a first charge upon the fund, are liquidated.

Fourth.—That a fixed time be limited, by mutual agreement of the two Governments, for the hearing and liquidation of claims against the fund, the claims to be heard and determined by Commissioners appointed for that purpose, with power to draw upon the funds as required.

Fifth.—Such claims to be entertained only on the part of those who were recognized by either Province as licence holders, and to be limited to the amounts exacted in excess of the rates at which, by such licences, they were authorized to cut timber.

Sixth.—That the balance of the fund, after liquidating these claims, be applied first to the payment of charges incurred against it by the joint consent of both Governments, (such as the expenses of the Arbitration paid by New Brunswick, for which she would thus get credit,) and second, to the payment of the survey of the Boundary Line; the residue of outlay incurred for such survey to be, in conformity with the Imperial Act, equally borne by the two Provinces.

Seventh.—And finally, inasmuch as, except a comparatively small proportion, the amount of the fund as above restricted (although principally collected by and in the hands of New Brunswick) has accrued from that portion of the territory now definitely belonging to Canada, and inasmuch as the Imperial Act (viewing the whole of the territory heretofore in dispute) contemplated the probability of such a surplus—after all other charges against the fund had been liquidated—as would be sufficient for the construction of a great highway between the Provinces; and inasmuch also as Canada has, independent of the disputed territory funds, made a large appropriation for such

a road to the limit of her own territories; that therefore, New Brunswick shall also make such provision as may be necessary to construct or improve her portion of such inter-provincial highway to its junction with Canada, in a manner equal to what the Canadian portion may be made.

All which is respectfully submitted.

(Signed)

R. B. CUTLER,
Commissioner for New Brunswick.

WM. M'D. DAWSON,
Commissioner for Canada.

Fredericton, 19th April 1856.

Statement of Licences granted and Moneys received for Timber cut on the Disputed Territory, North of the River St. John and West of the Mudawaska, by the Crown Land Department, Quebec.

| Names of persons to whom Licences were granted. | Number of Berths as projected on the Map. | Quantities agreed for in Tons. | Total amount of duty thereon. | Deposits on obtaining Licences. | Subsequent payments thereon. | Total amount received. |
|---|---|---|---|--|------------------------------|--|
| <i>For the Season of 1842-3.</i> | | | | | | |
| Barker & Glazier, | Berths not defined, | 2,500 | £208 6 8 | £52 1 8 | £156 5 0 | £208 6 8 |
| James Tibbits, | " | 2,700 | 225 0 0 | 56 5 0 | 168 15 0 | 225 0 0 |
| Total for season ended 1843, | " | 5,200 | £433 6 8 | £108 6 8 | £325 0 0 | £433 6 8 |
| <i>For the Season of 1843-4.</i> | | | | | | |
| James Tibbits, | 1, 4, 8, 10, and 13, 14, 16, 23, and 24, Black River, | 7,500 3,000 2,000 12,500 | £1,041 13 4 | £260 8 4 | .. .. | £260 8 4 |
| Allan Gilmour & Co. | 2, 3, 4, 5, 6 and 7, 9, 10, 15, 17 and 19, 20, 23 and 24, 33, 34 and 35, | 5,500 4,750 5,000 15,250 | 1,270 16 8 | 317 14 2 | .. .. | 317 14 2 |
| Charles Connell, | 1, on the Forks of the Toledo River, extending upwards, } 3, } John Emmerson, } John Glazier, } 16, } Glazier & Veazie, } 9, 11, 12 and 18, } C. S. Clark, } Thomas Jones, } John Veazie, } 21, 22 and 25, } | 1,500 1,000 300 9,500 4,500 1,500 5,500 51,550 | 125 0 0 83 6 8 25 0 0 791 13 4 375 0 0 125 0 0 458 6 8 £4,295 16 8 | 31 5 0 20 16 8 6 5 0 197 18 4 93 15 0 31 5 0 114 11 8 £1,073 19 2 | .. .. | 31 5 0 20 16 8 6 5 0 197 18 4 93 15 0 31 5 0 114 11 8 £1,073 19 2 |
| Total for season ended 1844, | " | 51,550 | £4,295 16 8 | £1,073 19 2 | .. .. | £1,073 19 2 |
| <i>For the Season of 1845-6.</i> | | | | | | |
| Thomas Jones, | 12, 20 and 21, | 2,000 | £166 13 4 | £41 13 4 | .. .. | £41 13 4 |
| James Tibbits, | 19, 23, 23, and 22, 1, 3, 4, 5 and 8, Big Black River, North Branch, | 2,000 5,000 5,000 1,500 13,500 | 1,125 0 0 | 281 5 0 | £500 0 0 | 781 5 0 |
| Benjamin Beveridge, | 13, 17 and 18, | 1,500 | 125 0 0 | 31 5 0 | .. .. | 31 5 0 |
| John Glazier, | Little Black River, 14 and 15, 9, and 10, 11, | 1,500 2,000 2,000 500 6,000 | 500 0 0 | 125 0 0 | .. .. | 125 0 0 |
| James Tibbits, | 6 and 17, | 1,000 | 83 6 8 | 20 16 8 | .. .. | 20 16 8 |
| W. J. Bedell & Co. | 16 and 16, } Total for season ended 1846, | 1,000 25,000 | 83 6 8 £2,083 6 8 | 20 16 8 £520 16 8 | £500 0 0 | 20 16 8 £1,020 16 8 |
| <i>For the Season of 1846-7.</i> | | | | | | |
| James Tibbits, | } Berths the same as the preceding year. } | 4,050 | £337 10 0 | £84 7 6 | .. .. | £84 7 6 |
| W. J. Bedell, | | 1,000 | 83 6 8 | 20 16 8 | .. .. | 20 16 8 |
| John Glazier, | | 3,500 | 291 13 4 | 72 18 4 | .. .. | 72 18 4 |
| Benjamin Beveridge, | | 500 | 41 13 4 | 10 8 6 | .. .. | 10 8 6 |
| James Tibbits, | | 8,100 | 666 13 4 | 166 13 4 | .. .. | 166 13 4 |
| Thomas Jones, | | 1,000 | 83 6 8 | 20 16 8 | .. .. | 20 16 8 |
| Total for season ended 1847, | " | 18,050 | £1,504 3 4 | £376 1 0 | .. .. | £376 1 0 |
| RECAPITULATION. | | | | | | |
| Total for the season ended 1843, .. .. | .. .. | 5,200 | £433 6 8 | £108 6 8 | £325 0 0 | £433 6 8 |
| Do. do. 1844, .. .. | .. .. | 51,550 | 4,295 16 8 | 1,073 19 2 | .. .. | 1,073 19 2 |
| Do. do. 1846, .. .. | .. .. | 25,000 | 2,083 6 8 | 520 16 8 | 500 0 0 | 1,020 16 8 |
| Do. do. 1847, .. .. | .. .. | 18,050 | 1,504 3 4 | 376 1 0 | .. .. | 376 1 0 |
| | | 99,800 | £8,316 13 4 | £2,079 3 6 | £825 0 0 | £2,904 3 6 |
| Less—Amount of Gilmour & Co.'s deposits returned to them per O. C., 22nd February 1846, | | | | | | 317 14 2 |
| Total Timber Dues received from Disputed Territory, | | | | | | £2,586 9 4 |

Statement of Amount collected by New Brunswick on Timber cut on that part of the Disputed Territory to which, as per Report herewith, the Commissioners have confined their investigation.

| | | | |
|---|----------------|-----------|----------|
| 1842. Amount as per items in Account laid before the House of Assembly in 1844. See Appendix, page liii, | £238 | 5 | 0 |
| 1843. Amount as per Account laid before the House of Assembly in 1855. See Appendix, page clvii, | 1,599 | 9 | 0 |
| Additional items, not included in the above, as per Account laid before the House of Assembly in 1844. See Appendix, page liii, | 926 | 14 | 0 |
| 1844 to 1849 inclusive. Amount as per statement laid before the House of Assembly in 1855. See Appendix, page clx, | 10,756 | 14 | 8 |
| 1850. Amount as per Account laid before the House of Assembly in 1852. See Appendix, page lvii, | 297 | 4 | 1 |
| 1851. Amount as per Account laid before the House of Assembly in 1853. See Appendix, page ccxviii, being amount recovered by Hon. Attorney General Street, (Kirk's Bond), | 883 | 4 | 9 |
| Amount as per Account laid before the House of Assembly in 1852. See Appendix, page lvii, | 333 | 5 | 0 |
| Amount recovered by Honorable Attorney General Wilmot, as per statement laid before House of Assembly in 1853. See Appendix, page ccxxiv, (Seely's Bond), | 185 | 16 | 8 |
| | <u>£15,220</u> | <u>13</u> | <u>2</u> |

IMPERIAL PARLIAMENT.

ANNO DECIMO QUARTO AND DECIMO QUINTO VICTORÆ REGINÆ.

CAP. 63.

An Act for the settlement of the Boundaries between the Provinces of Canada and New Brunswick.

7th August 1851.

Whereas certain disputes have existed respecting the Boundary Line between the Provinces of Canada and New Brunswick, in North America, and pending such disputes certain funds have arisen from the disputed territory, and have been received by the Governments of such Provinces respectively; And whereas with a view to the settlement of such disputes, the Governor General of Canada and the Lieutenant Governor of New Brunswick, by the advice of their respective Councils, agreed that the matter

matter in dispute should be referred to Arbitrators, who should be directed to report to Her Majesty's Government, and that such Governor General and Lieutenant Governor should each name an Arbitrator on behalf of the said respective Provinces, and that such Arbitrators should name a third Arbitrator, the award to be made by the three Arbitrators or any two of them; and it was also agreed by such Governor General and Lieutenant Governor, with the advice aforesaid, that the net proceeds of the funds in the hands of the said Governments, arising from the disputed territory, should be applied first, to defray the expenses of the Arbitration, second to defray the necessary expenses of running the (Boundary) Line as settled, (in case such funds should prove insufficient, the expenses to be borne equally by the respective Governments,) and third, the balance of such funds to the improvement of the land and water communication between the Great Falls of the Saint John and the Saint Lawrence; And whereas in pursuance of the agreement in this behalf, the Governor General of Canada named Thomas Falconer, Esquire, to be one of the said Arbitrators, and the Lieutenant Governor of New Brunswick named Travers Twiss, Doctor of Laws, to be another of the said Arbitrators, and the said Thomas Falconer and Travers Twiss named the Right Honorable Stephen Lushington, Judge of the Admiralty Court, to act as the third Arbitrator; And whereas on the seventeenth day of April one thousand eight hundred and fifty one, the said Stephen Lushington and Travers Twiss made an award concerning the said Boundary, and transmitted the same, together with a plan therein referred to, to the Right Honorable Earl Grey, one of Her Majesty's Principal Secretaries of State, and such award is in the following terms:—

“ That New Brunswick shall be bounded on the Boundary of the United States, as traced by the Commissioners of Boundary under the Treaty of Washington, dated August 1842, from the source of the Saint Croix to a point near the outlet of Lake Pech-la-wee-haa-co-nies or Lake Beau, marked A in the accompanying copy of a part of plan 17 of the survey of the Boundary under the above Treaty; thence by a straight line connecting that point with another point to be determined at the distance of one mile south from the southernmost point of Long Lake; thence by a straight line drawn to the southernmost point of the Fiefs Madawaska and Temiscouata, and along the southeastern boundary of those Fiefs to the southeast angle of the same; thence by a meridional line northwards till it meets a line running east and west, and tangent to the height of land dividing the waters flowing into the River Rimouski from those tributary to the Saint John; thence along the tangent line eastward until it meets another meridional line tangent to the height of land dividing waters flowing into the River Rimouski from those flowing into the Restigouche River; thence along this meridional line to the 48th parallel of latitude; thence along that parallel to the Mistouche River; and thence down the centre of the stream of that River to the Restigouche; and thence down the centre of the stream of the Restigouche to its mouth in the Bay of Chaleurs; and thence through the middle of that Bay to the Gulf of Saint Lawrence; the Islands in the said Rivers Mistouche and Restigouche, to the mouth of the latter River at Dalhousie, being given to New Brunswick.”

And whereas it is expedient that the said Boundary should be settled in conformity with the said award: Now, therefore, be it enacted by the Queen's Most Excellent Majesty,

Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. New Brunswick shall be bounded as in the said award mentioned; and it shall be lawful for one of Her Majesty's Principal Secretaries of State to appoint such person or persons, as he may think fit, to ascertain, define, and mark the Boundary Line between the said Province of New Brunswick and the said Province of Canada, according to the intent of the said award.

2. The net proceeds of the funds in the hands of the local Government of the said Provinces of Canada and New Brunswick respectively, arising from the territory heretofore in dispute between such Provinces, shall be applied according to the terms hereinbefore mentioned of the said agreement concerning the same.

No. 4.

Second Report of the Commissioners (Messrs. Harding and Dawson) appointed to enquire into the Disputed Territory Fund.

The undersigned Commissioners in adjudicating upon the claims preferred against the Disputed Territory Fund, having taken the Report of 19th April 1856, as a basis upon which to close all matters of complaint between private individuals and the respective Governments of Canada and New Brunswick, as also between the Governments themselves, issued notices to all parties whom they conceived in any way connected with the question, calling upon them to appear and prefer their claims within a certain day; on which day they met several of the parties interested, and received their statements, and continued so to do from day to day so long as any parties offered themselves; and from the information thus obtained, and other reliable sources within our power, find that against the moneys collected in New Brunswick, £15,220 13 2, and in Canada, £2,586 9 4; which amounts are now placed in the position of a joint fund amounting to £17,807 2 6; the following claims have been made and considered just, and of right payable to them out of the said fund:—To Messieurs J. and S. Glazier, on their own account, and those acting under them, having authority to cut timber on the licences granted to the Messieurs Glazier and others by the Canadian Government, as also under the licence to John Emmerson, for whom the Glaziers act, £1,020 14s., as per statement marked A hereto annexed, which cancels Bonds Nos. 10 and 11, £315 12 11 and £33 6 8 respectively, and gives a credit of £82 17 6 on Bond No. 7, all of which Bonds were given in the Province of New Brunswick; and that all Bonds held by the Canadian Government for duties on timber to be cut on this territory, and given during the time of the dispute between the two Provinces, should be cancelled: To James Tibbits in like manner, £4,587 4 11, as per statement marked B also hereto annexed, which covers timber cut under licence to C. S. Clarke, and cancels Bond No. 8, £61 13 4, and also all Bonds given in Canada on like account: To Benjamin Beveridge in like manner, £14 18 2, as per statement marked C, which also cancels Bond No. 5, given in New Brunswick for timber brought to market by Beveridge, amounting to the sum of £366 12 6, signed by J. Pollock, G. Young, and R. W. Crookshank, Jr., as by reference to statement marked

marked C will more fully appear. That under the Charles Connell licence there will be no moneys to return to any parties connected therewith, there being Bonds unpaid against timber cut by parties under this licence to cover any amount that has been brought before us as paid, unless Bond No. 2, signed by Garcelon, Hatheway and Fisher, for £91 16 8, should be paid, whereupon the sum of £21 0 10 should be returned to F. W. Hatheway, as per statement annexed marked D, and for further information see statement E. That relative to Thomas Jones's licences, we have only the fact of several sums of money amounting to £93 15s. having been paid in Canada on account of such licences; and find a Bond, No. 13, for £68 15s. given to the Crown in New Brunswick, on which Thomas Jones's name appears as one of the parties, and which is charged against any moneys paid in Canada; that Jones died in the year 1853, leaving his affairs entirely in the hands of parties out of New Brunswick; we therefore recommend, that any moneys over and above the payment of the said Bond be held in any settlement of the general funds for Jones's benefit, or those of right claiming under him; see statement F. That under the W. J. Bedell & Co. licence there will be no moneys to be returned to any parties connected therewith, but a charge of £75 against Bond No. 3 given for £116 18 4, in New Brunswick, as per statement G. That the licences to Messieurs Allan Gilmour & Co. were operated upon by parties supplied by them, and all timber cut under those licences was seized in the hands, and appears in the names of other persons, who have made claims therefor, excepting 1,128 tons timber seized in the hands of R. R. Ketchum, as appears by the returns, and now claimed by Messieurs Robert Rankin & Co., but without producing any authority from R. R. Ketchum, on which there would be, if cut under the Allan Gilmour & Company's licences, a return of £74 4s., which we recommend to be held until authority is produced for receiving the same; also under the same licences, by reference to annexed statement H, Robert Kerr overpaid on the timber seized in 1844 and 1845, £439 5 4, and makes a further claim for return of duties overpaid on 1,600 tons timber seized in 1843, on which was paid three shillings per ton, £240, cut on the lots licenced to the Messieurs Glasier, and stated to be cut by authority from Stephen Glasier, one of the firm, on which, if authority should be produced that he was cutting with the full liberty and licence from one of the firm, he has overpaid £106 13 4. That Messieurs Rines and West cut sixteen thousand of logs on the Glasier licence, which was seized in 1844, and a payment made thereon of £300, being an over-payment of £133 6 8, if cut with authority, which should be produced before repayment.

This closes so much of the Report as relates to timber seized in the Province of New Brunswick.

The Commissioners, as per statements annexed, have charged so much of the bonds held by New Brunswick, against moneys to be refunded on timber cut on the different licences, as they conceive to be properly chargeable, which reduces the amount of bonds to be held by New Brunswick to the credit of the fund to £461 11s., and recommend for the more speedy settlement of the question, that the balance of funds in hand, (exclusive of Canadian or New Brunswick bonds) after payment of the afore-said claims, being £11,384 5 3, be taken as the amount of the fund for the other purposes of the Report of 19th April 1856.

In making up the Statements hereto annexed, the Commissioners have given the names

names of the parties who appear by the returns to have had possession of the timber when seized, to enable them to know the position of the different lots of timber seized, and the amounts returnable thereon.

Saint John, N. B., 12th November 1856.

JAMES A. HARDING.
WM. M'D. DAWSON.

A.

The undersigned Commissioners, in adjudicating upon the claims preferred against the Disputed Territory Fund, on the basis of the Report of 19th April 1856, find that Messieurs J. and S. Glasier, under the licences from the Canadian Government to them on their own behalf and those acting by authority under them, are entitled to receive out of the said funds as follows:—

| | | | | | | |
|-------|----------------------|--------------|---------|--------------------|---------------------------------|--------------------------|
| 1843. | J. & S. Glasier, | 794 | @ | 3s. | £119 2 0 | |
| | John Emmerson, | 1,000 | " | 3s. | 150 0 0 | |
| | John Emmerson, | 1,270 | " | 3s. | 190 10 0 | |
| | | <u>3,064</u> | | | <u>£459 12 0</u> | |
| 1844. | J. & S. Glasier, | 2,947 | @ | 3s. | £442 1 0 | |
| | Rines & West, | 2,880 | " | 3s. | 432 0 0 | |
| | | <u>5,827</u> | | | <u>£874 1 0</u> | |
| 1845. | J. & S. Glasier, | 876 | @ | 6s. | £262 16 0 | |
| 1846. | John Emmerson, | 2,233 | @ | 1s. 8d. | £186 1 8 | |
| | J. & S. Glasier, | 572 | " | 1s. 8d. | 47 13 4 | |
| | Augustine Webster, | 1,032 | " | 1s. 8d. | 86 0 0 | |
| | J. & S. Glasier, ... | 40 | " | 1s. 8d. | 3 6 8 | |
| | | <u>3,877</u> | | | <u>£323 1 8</u> | |
| 1847. | John Emmerson, | 994 | @ | 1s. 8d. | Bond No. 7, | £82 17 6 |
| | J. & S. Glasier, | 3,787 | " | 1s. 8d. | Bond No. 10, | 315 12 11 |
| | | <u>4,781</u> | | | | |
| 1848. | J. & S. Glasier, | 400 | @ | 1s. 8d. | Bond No. 11, | 33 6 8 |
| 1851. | J. & S. Glasier, | 240 | @ | 2s. 6d. | £30 0 0 | |
| | | | | | | |
| | | | | | Total paid in New Brunswick. | Total paid in Canada. |
| 1843. | 3,064 | @ | 3s. | £459 12 0 | £208 6 8 | |
| 1844. | 5,827 | " | 3s. | 874 1 0 | 6 5 0 | |
| 1845. | 876 | " | 6s. | 262 16 0 | 197 18 4 | |
| 1846. | 3,877 | " | 1s. 8d. | 323 1 8 | 125 0 0 | |
| 1847. | 4,781 | " | 1s. 8d. | ... | 72 18 4 | |
| 1848. | 400 | " | 1s. 8d. | ... | | |
| 1851. | 240 | " | 2s. 6d. | 30 0 0 | | |
| | | | | <u>£1,949 10 8</u> | <u>£610 8 4</u> | |

Carried forward,

£1,949 10 8 £610 8 4

| | | |
|-------------------------|-------------|----------|
| <i>Brought forward,</i> | £1,949 10 8 | £610 8 4 |
| | 610 8 4 | |
| | £2,559 19 0 | |
| 19,065 @ 1s. 8d. | 1,588 15 0 | |
| | £971 4 0 | |

By the foregoing statement, one shilling and eight pence per ton is charged against all timber cut under the licences, and sufficient moneys paid to cover the same and cancel Bonds Nos. 10 and 11, and £82 17 6 against Bond No. 7, that being the proportion chargeable against the Accounts, leaving a balance of £971 4s. overpaid on the Glasier licences, and also as per the following statement of timber cut under the John Emmerson licence:—

| | Tons. | Rate. | Paid in New Brunswick. | Paid in Canada. |
|----------------------|-------|-----------|---------------------------|----------------------------------|
| 1844. John Emmerson, | 430 | @ 3s. | £64 10 0 | £20 16 8 |
| | | | 20 16 8 | |
| | | | £85 6 8 | |
| | 430 | @ 1s. 8d. | 35 16 8 | |
| | | | £49 10 0 | balance. |
| | | | 971 4 0 | balance per Glasier's statement. |

£1,020 14 0 which amount closes all claims in either Pro-

vince for stumpage, fines or penalties paid by the parties named for the quantities of timber specified in the Accounts and Returns as seized in New Brunswick, licences having been granted by Canada to Barker & Glasier, John Glasier, and John Emmerson, and the timber cut under the same.

JAMES A. HARDING,
W. M'D. DAWSON.

B.

The undersigned Commissioners, in adjudicating upon the claims preferred against the Disputed Territory Fund on the basis of the Report of 19th April 1856, find that James Tibbits, under licences from the Canadian Government to him, on his own behalf and those acting by authority under him, as also under the licence to C. S. Clark, for whom he is authorized to act, is entitled to receive out of the said funds, as follows:—

| | | | |
|-------------------------|--------------|------------|----------|
| 1843. Hammond & Coombs, | 1,200 at 3s. | £180 0 0 | |
| Benj. Good, | 500 at 3s. | 75 0 0 | |
| Elijah Sisson, | 600 at 3s. | 90 0 0 | |
| Isaac Kilburn, | 909 at 3s. | 136 7 0 | |
| Pickard & M'Keen, | 2,600 at 3s. | 390 0 0 | |
| John Shea, | 850 at 3s. | 127 10 0 | |
| P. C. Amireaux, | 850 at 3s. | 127 10 0 | |
| | 7,509 | 1,126 7 0 | £225 0 0 |
| 1844. Benj. Good, | 595 at 3s. | £89 5 0 | |
| Isaac Kilburn, | 3,444 at 3s. | 510 12 0 | |
| John Shea, | 372 at 3s. | 55 16 0 | |
| J. & F. Perley, | 567 at 3s. | 85 1 0 | |
| Tibbits, Pickard & Co. | 9,555 at 3s. | 1,433 7 0 | |
| | 14,533 | 2,180 1 0 | 354 3 4 |
| <i>Carried forward,</i> | 22,042 | £3,306 8 0 | £579 3 4 |

| | | | | | |
|-------|-------------------------------|-------------------|-----------|-------------|----------------------|
| | <i>Brought forward,</i> | 22,042 | | £3,306 8 0 | £579 3 4 |
| 1845. | B. Armstrong, | 200 at 6s. | £60 0 0 | | |
| | B. Good, | 204 at 6s. | 61 4 0 | | |
| | Tibbits, Pickard & Co. | 6,467 at 6s. | 1,940 2 0 | | |
| | | 6,871 | | 2,061 6 0 | 500 0 0 |
| 1846. | B. Good, | 735 at 1s. 8d. | £61 5 0 | | |
| | B. Kilburn, | 146 at 1s. 8d. | 12 3 4 | | |
| | B. Kilburn, | 128 at 1s. 8d. | 10 13 4 | | |
| | Thos. Pickard & Co. | 5,611 at 1s. 8d. | 467 11 8 | | |
| | | 6,620 | | 551 13 4 | 302 1 8 |
| 1847. | Thos. Pickard & Co. | 11,930 at 1s. 8d. | 990 0 0 | | |
| | | 11,930 | | 990 0 0 | 251 0 10 |
| | | | | | £1,632 5 10 |
| 1848. | Thos. Pickard & Co. | 3,750 at 1s. 8d. | £312 10 0 | | |
| | Do. | 680 at 1s. 8d. | 56 13 4 | | |
| | B. Good, | 740 at 1s. 8d. | | | |
| | | 5,170 | | 369 3 4 | No. 8, Bond £61 13 4 |
| 1849. | Francis Tibbits, | 1,347 at 1s. 8d. | £112 5 1 | | |
| | | 1,347 | | 112 5 1 | |
| 1851. | Hevits & M ^c Keen, | 1,500 at 2s. 6d. | 187 10 0 | | |
| | | 1,500 | | 187 10 0 | |
| | | 55,480 | | £7,578 5 9 | |
| | | | | 1,632 5 10 | Paid in Canada. |
| | | | | £9,210 11 7 | |
| | | 55,480 at 1s. 8d. | | 4,623 6 8 | |

£4,587 4 11 which amount

closes all claims in either Province for stampage, fines or penalties paid on timber cut under the licences granted to James Tibbits, by himself or parties named, acting under authority of the said licences, and under licence granted to C. S. Clark for the quantities of timber specified in the Account and Returns as seized in New Brunswick. By the above statement one shilling and eight pence per ton is charged against all timber cut under the licences, and sufficient moneys paid to cover the same and cancel Bond No. 8, held in New Brunswick, against Benjamin Good, and all Bonds granted in Canada for the same timber, leaving a balance of four thousand five hundred and eighty seven pounds four shillings and eleven pence over-paid on the licences stated.

JAMES A. HARDING,
WM. M^d. DAWSON.

C.

The undersigned Commissioners, in adjudicating upon the claims preferred against the Disputed Territory Fund, on the basis of the Report of 19th April 1856, find that Benjamin Beveridge, under licence from the Canadian Government to him, and acting by authority under James Tibbits and Allan Gilmour and Co.'s licences of like nature, is entitled to receive out of the said fund as follows:—

| | Tons. | Rate. | Paid in New Brunswick. | | |
|----------------------|-------|------------|------------------------|------|------------------------|
| 1844. B. Beveridge, | 1700 | at 3s. | £255 | 0 0 | |
| 1845. B. Beveridge, | 1043 | at 6s. | 312 | 18 0 | |
| 1846. B. Beveridge, | 1407 | at 1s. 8d. | 117 | 5 0 | |
| 1847. B. Beveridge, | 4399 | at 1s. 8d. | | | |
| | | | £685 | 3 0 | No. 5 bond, £366 12 6. |
| | | | 31 | 5 0 | Paid in Canada. |
| | | | 10 | 8 6 | Paid in Canada. |
| | | | £726 | 16 6 | |
| 8549 tons at 1s. 8d. | ... | ... | 712 | 8 4 | |
| | | | £14 | 8 2 | |

By the foregoing Statement one shilling and eight pence per ton is charged against all timber cut on the disputed territory by Benjamin Beveridge under his own licence, or by authority from others, and brought in his own name down the River Saint John, being 8,549 tons of timber, amounting to £712 8 4, on which he paid in Canada £41 13 6, in New Brunswick £685 3s., and a Bond signed by J. Pollock, G. Young, and R. W. Crookshank, Junior, for £366 12 6 to the Crown, for payment of duties on 4,399 tons of the same. Which Bond we, by this Report, consider cancelled as against the timber brought down by B. Beveridge in 1847, leaving a balance of moneys overpaid to the two Provinces of £14 8 2.

JAMES A. HARDING.
WM. M'D. DAWSON.

D.

The undersigned Commissioners, in adjudicating upon the claims against the disputed territory fund, on the basis of the Report of 19th April 1856, find the position of affairs under the Charles Connell licence to be as follows:—That the licence was taken out in Canada in his name for the benefit of Messrs. Harrison and Jouett and William Connell, who paid of the moneys £31 5s., deposited in Canada the following proportions, Messrs. Harrison and Jouett £21 5s., and William Connell £10; that Messrs. Harrison and Jouett cut timber under this licence in 1844, and took it to the Saint John market, where it was seized by Jacob Allen the New Brunswick seizing officer, (who is since dead) and a fine of three shillings per ton paid thereon through F. W. Hatheway, who produces Messrs. Harrison and Jouett's order for any moneys that may be awarded them out of the disputed territory fund under the Charles Connell licence, which stands as follows:—

| | Tons. | Rate. | Paid in N. B. | | Paid in Canada. | |
|------------------------------|-------|--------|---------------|------|-----------------|-----|
| 1854. Harrison & Jouett, ... | 525 | at 3s. | £78 | 5 0 | £21 | 5 0 |
| | | | 21 | 5 0 | | |
| | | | £99 | 10 0 | | |
| 525 tons at 1s. 8d. | .... | .... | 43 | 15 0 | | |
| | | | £55 | 15 0 | amount paid | by |

by Messrs. Harrison and Jouett, over 1s. 8d. per ton, through F. W. Hatheway, who acts for them in this matter; against which balance so coming we find a Bond for £34 14 2, given by F. W. Hatheway, S. Barker, and W. A. Scovil, dated 27th November 1848, taken by the Crown officers for duties payable on 416 tons timber at one shilling and eight pence per ton, cut on the disputed territory, and seized in 1847 while in the charge of said F. W. Hatheway, which should be a first charge against moneys coming to him out of this fund; leaving, after deducting the amount of the said bond, £21 0 10, which last mentioned balance we consider should be held until a bond for £91 16 8, dated the 27th November 1848, signed by H. Garcelon, F. W. Hatheway, and M. Fisher, is satisfied, it being also given for fines on 1,102 tons of timber, at one shilling and eight pence per ton, also cut on the disputed territory, and seized while in charge of H. Garcelon, against which timber we can find no payment either in the Province of Canada or New Brunswick.

£55 15 0 balance per first statement.

34 14 2 bond of 27th November 1848, Hatheway, Barker, and Scovil.

£21 0 10

91 16 8 bond of 27th November 1848, Garcelon, Hatheway, and Fisher.

£70 15 10 balance that would be still due on last mentioned bond.

JAMES A. HARDING.
WM. M'D. DAWSON.

E.

The undersigned Commissioners, in adjudicating upon the claims preferred against the disputed territory fund, on the basis of the Report of 19th April 1856, find so far as has appeared before them, the following to be the position of that part of the Charles Connell licence, which was obtained for the benefit of William Connell: That Stephen Tracy operated under the same with authority from William Connell, and brought to the Saint John market in 1844, 588 tons of timber which was seized, and a fine of three shillings per ton paid thereon, amounting to £88 4s.; that they find no other timber cut under the said licence on which a higher rate of duty was paid than one shilling and eight pence per ton; that in the year 1847, Messrs. W. & J. Connell brought to market 30,073 tons timber cut on the disputed territory, for the duties on which, at one shilling and eight pence per ton, a Bond dated 27th November 1848, signed by M. Fisher, M. Tuck and H. Garcelon was given; that this last named timber, together with 994 tons of the John Emmerson timber cut under the Glazier licence, (being at the time of seizure in the hands of M. Fisher, since dead, as timber keeper) was seized together, and the said Bond given for the two lots of timber, amounting to £339, against which £82 17 6 is credited in the Glaziers' statement, leaving a balance on the said Bond of £256 7 6, as standing against timber cut on this licence, which leaves the matter as follows:—

| | Tons. | Rate. | Paid in N. B. | Paid in Canada. |
|-----------------|-------|------------|---------------|---|
| 1844. S. Tracy, | 588 | at 3s. | £88 4 0 | £10 0 0 |
| | | | 10 0 0 | |
| | | | £98 4 0 | |
| | 588 | at 1s. 8d. | 49 0 0 | Balance on this part of the timber. |
| | | | £49 4 0 | |
| | | | 256 7 6 | |
| | | | £207 3 6 | Balance due on Bond of Fisher, Tuck and Garcelon. |

JAMES A. HARDING.
WM. M'D. DAWSON.

F.

The undersigned Commissioners, in adjudicating on the claims preferred against the disputed territory fund, on the basis of the Report of 19th April 1856, find the position of the licence granted by the Canadian Government to Thomas Jones to be as follows:— That Thomas Jones paid to the Canadian Government on account of his licences, in the year 1843, £31 5s., in the year 1845, £41 13 4, and in the year 1846, £20 16 8, making a total of £93 15s. paid in Canada, against which we find no timber cut by Jones charged more than one shilling and eight pence per ton, nor any person acting by authority under him making a claim. We therefore presume that the amount paid in Canada was all the moneys paid over the rate of one shilling and eight pence per ton, and against which amount we find a bond given to the Crown in New Brunswick, dated 15th January 1849, signed by T. Jones, S. B. Poulist, and J. Pelletier, for £68 3 4, and whether any other of the bonds were held for duties on timber cut on the disputed territory should be held as against this licence, the Commissioners have not been able to discover. So little information being afforded in matters relating to these licences, can only be accounted for from the fact of Jones having died in the year 185 , and his affairs being altogether in the hands of parties out of New Brunswick.

JAMES A. HARDING.
WM. M'D. DAWSON.

G.

The undersigned Commissioners, in adjudicating upon the claims preferred against the disputed territory fund, on the basis of the Report of the 19th April 1856, find the position of affairs under the Messrs. W. & J. Bedell & Co.'s licence from Canada, to be as follows:—

| | Tons. | Rate. | Paid in New Brunswick. | |
|---------------------------|-------|------------|------------------------|-----------------------|
| 1840. J. & F. Perley, | 1,850 | at 1s. 8d. | £154 3 4 | |
| 1847. W. J. Bedell & Co., | 1,403 | at 1s. 8d. | | Bond No. 3, £116 18 4 |
| | | | £154 3 4 | |
| | | | 20 16 8 | Paid in Canada 1845. |
| | | | 20 16 8 | " " 1846. |
| | | | £195 16 8 | |

Carried forward,

| | | | |
|-------------------------|------|----|---|
| <i>Brought forward,</i> | £195 | 16 | 8 |
| 3,253 at 1s. 8d. | 271 | 1 | 8 |

£75 5 0 amount still due on

Bond signed by W. J. Bedell, G. A. Munro and M. Fisher, dated 15th December 1848, and covers all timber cut under the licence, or any parties acting under their authority.

JAMES A. HARDING.
WM. M'D. DAWSON.

H.

The undersigned Commissioners, in adjudicating upon the claims preferred against the disputed territory fund on the basis of the Report of 19th April 1856, find that Robert Kerr, under the Allan Gilmour & Co.'s licences, cut and overpaid as follows:

| | | | | | | | | | |
|-------|--------------|------|------|------|------|------------|------|----|---|
| 1844. | Robert Kerr, | .... | .... | .... | 2635 | at 3s. | £395 | 5 | 0 |
| 1845. | Do. | .... | .... | .... | 1216 | at 6s. | 364 | 18 | 8 |
| | | | | | | | £760 | 3 | 8 |
| | | | | | 3851 | at 1s. 8d. | 320 | 18 | 4 |
| | | | | | | | £439 | 5 | 4 |

Which amount of £439 5 4 was paid over and above one shilling and eight pence per ton, on 3851 tons timber seized in New Brunswick.

JAMES A. HARDING.
W. M'D. DAWSON.

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| ROBINSON, John James, Commander, R. N. | | |
| The President announces his appointment to a Seat in Legislative Council, 23; Committee appointed to see him qualified, 24; takes his Seat, | | 24 |

